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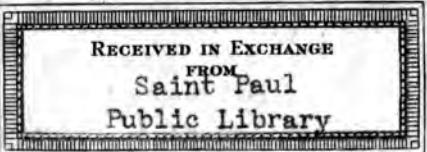
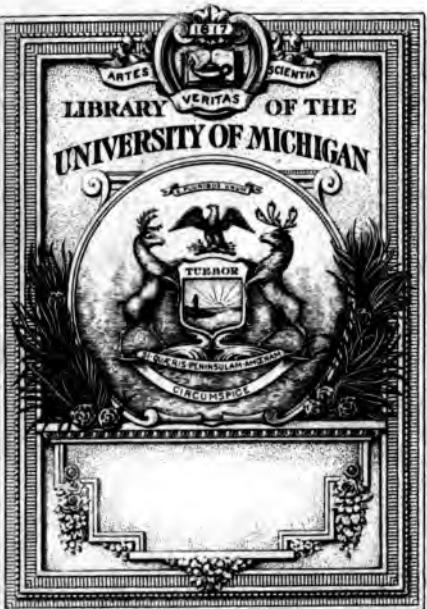
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# Illinois Manual of Laws AFFECTING Women and Children

Issued by  
**THE JUVENILE PROTECTIVE ASSOCIATION  
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816 South Halsted Street

Compiled and Revised by  
**HARRY E. SMOOT, ATTORNEY**  
1922

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## PREFACE.

This manual is intended as a reference book for everyone who may be interested in social and community problems. It is hoped that the manual may be of service to citizenship classes, women's clubs, and various other groups and associations; also to those preparing for civil service examinations as well as to all social workers and others who have at heart civic and social welfare.

The text in most instances is a condensed statement of the law. The marginal references indicate where the law in full may be found. Whenever there is any doubt as to the application or the proper construction of any law, the full text should be consulted and it is a wise precaution to do this when court action is contemplated. This manual does not purport to contain every law but does contain all of the important ones pertaining to women and children.

The topics of the manual are arranged alphabetically. A special effort has been made to make the index serviceable. If what is sought is not found under one heading the user of the manual should search the index under other headings.

HARRY E. SMOOT.

January 1, 1922.



# LAWS

*Note.*—The reference R. S. is to Revised Statutes, Hurd, 1919; C. C. is to the Chicago Code, 1911; Sess. L. is to Session Laws; Counc. Proc. is to Council Proceedings, and U. S. S. A. is to U. S. Statutes Annotated.

## CONSTITUTIONAL RIGHTS.

**EXTRADITION.**—A person charged in any state with any crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed to the state having jurisdiction of the crime.

Const. of  
U. S.,  
Art. IV,  
sec. 2,  
*Second*, R. S.,  
p. XIV.

**SUPREME LAW OF LAND.**—The constitution and the laws of the United States made in pursuance thereof, and all treaties made under the authority of the United States shall be the supreme law of the land; the judges in every state shall be bound thereby; anything in the constitution or laws of any state to the contrary notwithstanding.

Const. of  
U. S.,  
Art. VI,  
sec. 1,  
*Second*, R. S.,  
p. XIV.

**SEIZURES.**—The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated.

Amend. to  
Const. IV.  
R. S., p. XV.

**JEOPARDY.**—No person shall be held to answer for infamous crime, unless on a presentment or indictment of a grand jury, except in naval or military cases; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall he be compelled in any criminal case to be a witness

Amend. to  
Const. V.  
R. S., p. XV.

against himself nor be deprived of life, liberty or property without due process of law, etc.

Amend. to  
Const. VIII.  
R. S., p. XV.

**BAIL.**—Excessive bail shall not be required nor excessive fines imposed nor cruel and unusual punishments inflicted.

Amend. to  
Const. XIV,  
sec. 1,  
R. S., p. XVI.

**WHO CITIZENS.**—All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States, and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Const. of  
Ill., 1870,  
Art. I.  
R. S., p. LIV.

**BOUNDARIES OF STATE.**—The boundaries and jurisdiction of the state shall be as follows, to-wit: Beginning at the mouth of the Wabash river; thence up the same, and with the line of Indiana, to the northwest corner of said state; thence east, with the line of the same state, to the middle of Lake Michigan; thence north along the middle of said lake, to north latitude 42 degrees and 30 minutes; thence west to the middle of the Mississippi river, and thence down along the middle of that river to its confluence with the Ohio river, and thence up the latter river, along its northwestern shore to the place of beginning.

#### BILL OF RIGHTS.

Const. of  
Ill., 1870,  
Art. II.  
R. S., p. LIV.

**SEC. 2.** No person shall be deprived of life, liberty, or property, without due process of law.

**SEC. 3.** The free exercise and enjoyment of religious worship is guaranteed and no person shall be denied any right because of his religious opinions; but the liberty of con-

science hereby secured shall not be construed to dispense with oaths, excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the state, etc.

SEC. 4. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty.

SEC. 5. The right of trial by jury as heretofore enjoyed shall remain inviolate.

SEC. 7. All persons shall be bailable by sufficient sureties except for capital offenses, where the proof is evident or the presumption great; the writ of *habeas corpus* shall not be suspended except in war times.

SEC. 8. No person shall be held to answer for a criminal offense unless on indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in naval and military cases; *provided* that the grand jury may be abolished in all cases.

SEC. 9. In all criminal prosecutions the accused shall have the right to appear and defend in person and by counsel, to demand the nature and cause of the accusation and to have a copy thereof, to meet the witnesses face to face, and to have process to compel the attendance of witnesses in his behalf and a speedy public trial by an impartial jury in the county in which the offense is alleged to have been committed.

SEC. 10. No person shall be compelled in any criminal case to give evidence against himself or to be twice put in jeopardy for the same offense.

SEC. 11. All penalties shall be proportioned to the nature of the offense.

SEC. 17. The people have the right to assemble in a peaceable manner to consult for

the common good, to make known their opinions to their representatives and to apply for redress of grievances.

SEC. 19. Every person ought to obtain, by law, right and justice freely, and without being obliged to purchase it, completely and without denial, promptly, and without delay.

Constit. of  
Ill., 1870,  
Art. V.  
sec. 13.  
R. S., p. LXII.

PARDONS, ETC.—The governor shall have power to grant reprieves, commutations and pardons, after conviction, subject to such regulations as may be provided relative to the manner of applying therefor.

Constit. of  
Ill., 1870,  
Art. XII,  
sec. 1.  
R. S., p. LXXIII

MILITIA.—The militia of the state shall consist of all resident and able-bodied male persons between the ages of 18 and 45, with certain exceptions.

#### ABANDONMENT OF WIFE OR CHILDREN.

R. S. ch. 68,  
sec. 1.

Any person who without any reasonable cause shall neglect or refuse to provide for the support of his wife who is destitute or in necessitous circumstances, or without lawful excuse shall desert or neglect or refuse to provide for his children under 18 years of age in destitute or necessitous circumstances, is guilty of a misdemeanor. Punishment—a fine up to \$600.00, imprisonment in the county jail or house of correction up to one year, or both.

Sec. 2.

Proceedings may be by indictment or information.

Sec. 3.

Before trial and upon notice to the defendant the court may order payment for support of the wife or children *pendente lite* and may hold in contempt for failure to do so.

Sec. 4.

When a fine is imposed the court may order it paid in whole or in part to the wife or guardian of the children. Before the trial, with the consent of the defendant, or on a

plea of guilty, or after conviction, the court having regard to the circumstances and the financial ability and earning capacity of the defendant, may direct him to pay a certain sum periodically for one year to the wife or to the guardian of the children or to an organization or individual approved by the court as trustee, which order shall be subject to change; the court also may place defendant on probation for a fixed period on recognizance with or without surety. The condition shall be his appearance in court when desired and compliance with all other orders of the court.

The court upon violation of probation by Sec. 5.  
the defendant during the year may proceed at any time with the trial or enforce the suspended sentence. If there is a forfeiture of the recognizance, any sum recovered on same may be paid in whole or in part to the wife or the guardian of the children.

The husband or wife may testify to all Sec. 7.  
relevant matters.

One neglecting to provide for the support Sec. 8.  
of his wife without any reasonable cause may be prosecuted at any time during the existence of the marriage relation.

One neglecting or refusing without lawful Sec. 9.  
excuse to provide for his children may be prosecuted at any time until they arrive at the age of eighteen years.

These offenses are construed to be continuing offenses. Sec. 10.

PENALTY FOR ABANDONING CHILD.—It is a Sess. L. 1919,  
felony for any person having the legal control p. 247.  
or custody of any child under one year of age  
to abandon such child. Penalty—fine of not  
less than \$300, nor more than \$1,000, or im-  
prisonment in penitentiary not less than one  
year nor exceeding three years or both.

R. S., ch. 58,  
sec. 1.

**EFFECT OF ABANDONMENT.**—If any child in this state under the age of one year shall be wilfully abandoned by its parents and taken and cared for by any charitable institution in this state such parents shall thenceforth lose all their right, control and authority over the child, and such right, control and authority shall become vested in the institution.

Sec. 2.

If such child be left by its parents at any charitable institution, it shall be deemed a wilful abandonment for the purposes of this act.

Sec. 3.

In case of illegitimate children or where the father of a legitimate child shall have wilfully deserted his family for one year, an abandonment by the mother shall be deemed an abandonment by the parents.

#### ABDUCTION.

R. S., ch. 38,  
sec. 1.

**OF FEMALE.**—Whoever entices or takes away any unmarried female of chaste life and conversation from the parent's home or wherever she may be found, for the purpose of prostitution or concubinage, or whoever aids in it, shall be imprisoned in the penitentiary not less than one nor more than ten years.

Sec. 2.

**OF CHILD.**—Whoever unlawfully takes or decoys away any child under twelve years of age with intent to detain or conceal it from its parents, or person having lawful charge of the child, shall be confined in the county jail, not exceeding one year, or fined not more than \$2,000, or both. Section does not apply to one who interferes to protect child from abuse.

#### ABORTION.

R. S., ch. 38,  
sec. 3.

**PRODUCING.**—Whoever by means of any instrument or medicine produces an abortion or miscarriage or attempts to do so, unless it is necessary to save life, shall be imprisoned in the penitentiary not less than one nor

more than ten years. In case the mother dies therefrom, such person is guilty of murder.

**ADVERTISING ABORTIFACIENT DRUGS.—**Sec. 6.  
Advertising or printing or causing to be advertised or printed any pamphlet or book suggesting where or from whom abortifacient drugs, any instrument or any information or knowledge may be obtained for the purpose of causing the miscarriage of a woman pregnant with child, is punishable with imprisonment not less than one year and not exceeding three years or fine not exceeding \$1,000.

#### ADOPTION.

**WHO MAY ADOPT.—**Any reputable person can petition circuit or county court for leave to adopt a child or to change a child's name. (See sections 2 and 6 for form of petition, rights of child, parent, etc.) R. S. ch. 4,  
sec. 1.

**WHAT COURT MUST FIND.—**A decree for adoption shall be made when the court shall find that (1) the parents or surviving parent of a legitimate child, or the mother of an illegitimate child, or, if the child has no parent living, the guardian, if any, or if there is no guardian known to petitioner, then a near relative of the child, if any there be, consents to the adoption; or that (2) one parent consents and the other is unfit for any reasons hereinafter specified to have the child, or both parents are, or the surviving parent or the mother of an illegitimate child is, so unfit for any of such reasons—the grounds of unfitness being (a) depravity, (b) open and notorious adultery or fornication, (c) habitual drunkenness for the space of one year prior to the filing of the petition, (d) extreme and repeated cruelty to the child, (e) abandonment of the child, or (f) desertion of the child for more than six months next preceding the filing of the petition; or that (3) the

person or persons whose consent is required has been deprived of the custody of such child by a court and such court in appointing a guardian has authorized such guardian to consent to the adoption of such child without notice to or assent by the parents, and that such guardian consents to the adoption; that the petitioner is of sufficient ability to bring up the child and furnish suitable nurture and education and that it is fit and proper and for the best interest of the child that such adoption should be made.

Sec. 9 (a).

If the petition shows that the mother of an illegitimate child, or the parents of a legitimate child are dead, and there is no guardian or near relative, or there is a near relative who neither will contribute to the support of the child nor consent to the adoption, the court may appoint a guardian *ad litem*; then it shall not be necessary to obtain the consent in writing for adoption of any other person than such guardian.

Sec. 9 (b).

If the petition shows that the mother of an illegitimate child or a parent of a legitimate child is a minor and the court so finds, and such parent is desirous of having the child adopted, having expressed such desire in writing, the court may appoint a guardian *ad litem* to represent such minor parent. In such case it shall not be necessary to obtain the consent of any other person than such guardian in the adoption proceeding.

Sec. 9 (c).

An inhabitant of this state, the husband or wife of one having a minor child by a former husband or wife, or one whose wife is the mother of an illegitimate child, may petition in the county or circuit court to adopt such minor child and for change of name. In all these cases the petition shall be made jointly by the husband and wife. The petition is sufficient to authorize a decree.

**WHEN CONSENT OF CHILD IS NECESSARY.— Sec. 4.**  
If the child is over 14 years of age, adoption shall not be made without his consent.

**RIGHTS OF CHILD ADOPTED.—**An adopted **Sec. 5.** child shall be deemed for the purposes of inheritance by such child, and other legal consequences of the natural relation of parents and children, the child of the parents by adoption; except such child may not take property expressly limited to the bodies of the parents by adoption.

**EFFECT AS TO NATURAL PARENTS.—**The **Sec. 8.** natural parents of the adopted child shall be deprived, by the decree, of all legal rights, as respects the child, and the child shall be freed from all obligations of maintenance and obedience as respects such parents.

#### **ADULTERY.**

**ADULTERY.—**Every man and woman living together in an open state of adultery or fornication shall be fined not exceeding \$500, or confined in county jail not exceeding one year. Punishment doubled for second offense and trebled for third. Intermarriage of parties and payment of costs will suspend the prosecution.

R. S., ch. 38,  
sec. 11.

Offense may be proved by circumstances **Sec. 12.** raising the presumption of co-habitation and unlawful intimacy.

#### **ADVERTISEMENTS.**

**MEDICAL ADVERTISEMENTS PROHIBITED.—**C. C., sec. 178.  
It shall be unlawful for anyone to post in any place advertisements giving information from whom or where remedies of any kind may be obtained for the cure, prevention or treatment of venereal diseases. Penalty—fine of not less than \$25 nor more than \$50.

**Sec. 179.**      **OBScene OR IMMORAL PICTURES.**—Posting advertisements containing pictures or illustrations of an obscene or immoral character shall call for a fine of not less than \$25, nor more than \$200.

AID TO MOTHERS AND CHILDREN.

R. S., ch. 23,  
sec. 298.

**Sec. 299.**      A woman whose husband is dead and was a resident of the state, or who has become incapacitated permanently for work by reason of physical or mental infirmity may apply for relief if she has resided in the county three years and is the mother of a child.

**Sec. 300.**      The home of the applicant shall be visited by an officer and the facts set forth in the application investigated and a report and recommendation of approval or disapproval shall be made in writing to the court.

**Sec. 301.**      After the investigation and filing of the report, the officer or any reputable or responsible person residing in the county may file with the clerk of the court a petition in writing, verified, setting forth the facts necessary to give the court jurisdiction and such other facts, which, when found to be true, shall be the basis for the relief. The affidavit may be on information and belief. A separate petition shall be filed for each child. The mother and the county board shall be made parties respondent.

**Sec. 302.**      Upon the filing of the petition a summons returnable not less than three nor more than ten days after date shall issue to the respondents, requiring all to appear at the place and time stated.

**Sec. 304.**      Provisions for an *alias*, *pluries*, etc., in case process is returned not executed.

A written appearance by respondent shall Sec. 305.  
make service of summons unnecessary. The court shall hear the cause on return day, or some day to be fixed, without answers being filed by respondents, if respondents have been served or have filed written appearances.

Upon the hearing the court may order the Sec. 306.  
county board to pay the mother an amount of money necessary to enable her properly to care for the child or children. The county board shall do this through the county agent, or otherwise, paying at the times and the amounts specified in the order.

AMOUNT OF ALLOWANCE.—The allowance Sess. L. 1921,  
to such mothers for children under 14 years p. 162, sec. 10.  
of age in counties of less than 300,000 population shall not exceed \$15 per month for one child nor \$10 per month for each additional child; in counties of more than 300,000 population the allowance shall not exceed \$25 per month for one child nor \$15 per month for each additional child.

The relief will be granted on the following Sess. L. 1921,  
conditions: (1) the child must be living with p. 163,  
the mother; (2) the court must find it for the sec. 11.  
welfare of the child to remain at home with the mother; (3) relief granted only when otherwise the mother would be required to work regularly away from home and her children and when in the absence of such relief it would be necessary to commit the children to a dependent institution, and when by means of such relief she will be able to remain at home with her children, except that she may be absent for work a definite number of days each week to be specified in the order if such work can be done by her without the sacrifice of health or the neglect of home or children; (4) the mother must be a proper person physically, mentally and morally fit to have the

custody of the children; (5) the relief granted must be necessary to save the children from neglect; (6) a mother who is the owner of real property or personal property other than household goods or homestead or dower interest worth not more than one thousand dollars above incumbrances, shall not receive such relief; (7) a mother who has not resided in the county at least three years next before making the application shall receive no relief; (8) if the children have relatives of sufficient ability who may be obligated under the law to support them, the mother shall receive no relief.

R. S. ch. 23,  
sec. 309.

**RELIEF FOR CHILDREN BETWEEN 14 AND 16 YEARS.**—Relief for any child arriving at fourteen years shall cease, unless he is sick or incapacitated for work; in such case the mother may receive relief until he is sixteen years of age. The court may modify or vacate the order at any time.

Sec. 309 (a).

No mother not a citizen of the United States shall receive relief unless she has made application for citizenship papers or has made her declaration of intention to become a citizen; and then only for such children as were born in the United States.

Sec. 310.

**PRESENCE OF HUSBAND.**—Where the husband is incapacitated permanently for work by reason of physical or mental infirmity and his presence in the family is a menace to the physical and moral welfare of the mother or children, the court may require that he be removed from the home and provision for his care made elsewhere, or failing to remove the husband, or upon his refusal to be separated from the family, the court may refuse the relief asked or vacate any order that has given relief.

**PROBATION OFFICERS.**—The court has Sec. 311. power to appoint qualified persons of good character who shall serve and be known as probation officers to be paid suitable compensation by the county, the amount to be determined by the county board.

**DUTY OF PROBATION OFFICERS.**—They shall Sec. 312. investigate all applications for relief and make written reports and recommendations. After the relief is granted they shall visit and supervise the families, advise with the court and perform such other duties as the court may direct in order to maintain the integrity of the family and the welfare of the children.

**PENALTY FOR FRAUD.**—Any person fraudulently attempting to obtain an allowance is guilty of a misdemeanor; punishment—fine of from \$5 to \$200, imprisonment in the county jail not to exceed six months, or both. Sec. 315.

#### AMUSEMENTS.

**AMUSEMENTS, CLASSIFICATION FOR LICENSE—INTOXICATING LIQUORS.**—All theatricals, shows and amusements offered, operated, presented or exhibited for gain or for admission to which a fee is charged, are divided into 21 classes. C. C., sec. 106.

No person or corporation, either as owner, lessee, manager, officer or agent, shall give, conduct, produce, present or offer for gain or profit any of the foregoing entertainments without a license. Penalty—fine not to exceed \$200 for each offense and each day on which there is a violation shall constitute a separate offense. Sec. 107.

Any one desiring to produce, present, conduct or offer for gain any of the classes of amusement provided for herein within the city shall apply in writing to the mayor setting out certain information. The mayor shall make Counc. Proc. 1915, p. 901.

or cause to be made an examination of the place where the entertainment is to be given, and if all of the provisions of law have been complied with, he shall issue a license for such entertainment. (Amends C. C. sec. 108.)

Counc. Proc.  
1915, p. 1218.

DANCE HALLS.—(Amends C. C. sec. 108.) An applicant for a license to conduct a dance hall shall fill out truthfully a form provided by the morals commission of the city of Chicago, which shall include answers and information on the following points: name, residence, citizenship, location of proposed dance hall, employment or business of applicant in previous five years, whether or not he ever was convicted of crime, whether he owns real estate and its value; the applicant also shall give three householders as references in Chicago; the application shall be referred to the morals commission for investigation as to the moral status of the applicant and the moral conditions surrounding the proposed location and it shall transmit to the mayor the result of the investigation and no license shall be issued for such dance hall until he has approved the application.

C. C., sec. 117.

AMUSEMENT FORBIDDEN NEAR CHURCH,  
ETC.—(As amended by Counc. Proc. 1916-17  
p. 1204.) None of the 21 classes of amusements shall be presented in any building within 200 feet of a church, hospital or building used exclusively for educational purposes, except in a building heretofore designed and intended for such purpose.

Sec. 119.

THEATRES AND PLACES OF AMUSEMENT—  
PROHIBITING MINORS.—It shall be unlawful for anyone conducting any place where entertainments of the first, second or third class are presented for gain or for admission to which a fee is required, or for any of his employees, to permit any minor, female or male, under

the age of 16 years unless she or he be employed in the theater, or under 14 years when she or he be not so employed, to remain therein during any time when such place is not open to the public in connection with a public performance given therein, unless such minor person is accompanied by a parent or other adult relative.

Penalty for violating the above is a fine of Sec. 120. from \$1 to \$200.

Anyone falsely representing himself as the parent or adult relative of any minor person under 16 years may be fined from \$10 to \$100.

BATHING BEACHES—AMUSEMENTS PROHIBITED.—None of the amusements, shows, public exhibitions, etc., enumerated in section 106, Chicago Code, 1911, shall be carried on, maintained or permitted upon any premises in the city where a boating, fishing or bathing beach is located; should any such amusement be permitted contrary to this provision the license to conduct such beach shall at once be revoked.

Penalty for violating the ordinance, fine of Sec. 163. from \$50 to \$200 for each offense, and each day during which such ordinance is violated shall be deemed a separate offense.

#### ANNUITIES FOR CHILDREN.

Children of municipal employees until they arrive at 18 years of age are entitled to annuities under the conditions and in the amounts set out in the act. Sess. L. 1921,  
p. 242,  
sec. 44 and 45.

Children of policemen are entitled to annuities until they become 18 years of age under the conditions and in the amounts set out in the act. Sess. L. 1921,  
p. 296,  
sec. 43 and 44.

Children of a park employee are entitled to annuities until they arrive at the age of 18 Sess. L. 1921,  
p. 615,  
sec. 20 and 21.

years under the conditions and in the amounts set out in the act.

Sess. L. 1921,  
p. 658,  
sec. 39 and 40.

Children of park policemen are entitled to annuities until they become 18 years of age under the conditions and in the amounts set out in the act.

R. S., ch. 24,  
sec. 408.

DEPENDENTS OF FIREMEN.—The widow, minor natural children under 16 years of age, or dependent father or mother surviving a member of the fire department, who has been killed in the service or who has died under certain conditions shall receive from the pension fund certain sums monthly in the amounts and under the conditions set out at length in the act. (These details are too lengthy for enumeration.)

Fed. St. Ann.  
274.

CHILD OF LIFE SAVER.—The widow and child under 16 years of age and a dependent mother of a member of a life saving crew who dies by reason of perilous service, are entitled for two years to that amount the deceased would have been entitled to had he lived and continued in the service.

#### APPRENTICES.

R. S., ch. 9,  
secs. 1 and 2.

AGE AND WHO MAY BIND.—Children under 16 years of age may be bound as apprentices, etc., until they arrive at that age, by the parents or guardians or the judges of the county or circuit courts, under certain conditions.

Sec. 6.

BEGGARS AND PAUPERS.—Children under 16 years of age who habitually beg or who are chargeable to the county or town, may be bound as apprentices until they reach that age.

#### ARBOR AND BIRD DAY.

R. S., ch. 122,  
sec. 271.

ARBOR AND BIRD DAY.—The governor shall each spring designate a day to be known as "Arbor and Bird Day," to be observed

throughout the state by planting trees, shrubs and vines about the homes, along highways, and about public grounds, and by holding appropriate exercises in the public schools.

#### ARMY AND NAVY.

Any minor under 14 years of age shall not be enlisted in the navy. 6 Fed. St.  
Ann. 1085.  
sec. 1420.

MINORS.—Minors between 14 and 18 years of age may not be enlisted in the navy without the consent of parent or guardian. 6 Fed. St.  
Ann. 1082.

UNDER 18 YEARS.—No person under 18 years of age shall be enlisted into the military service of the United States without the written consent of a parent or guardian entitled to his custody and control. 9 Fed. St.  
Ann. 1028.

#### ARREST.

WITHOUT WARRANT.—An officer or private person may arrest without warrant for a criminal offense committed or attempted in his presence. An officer may arrest also without warrant when he has reasonable ground for believing that the crime was committed by the person to be arrested. R. S., ch. 38,  
sec. 342.

COMPLAINT.—When complaint has been made that a criminal offense has been committed, it shall be reduced to writing and subscribed and sworn to by the complainant; such complaint shall contain a concise statement of the offense charged, the name of the person accused, and state that the complainant has just and reasonable grounds to believe that such person committed the offense. Sec. 348.

Upon this complaint a warrant issues directed to all sheriffs, constables and bailiffs, requiring the person to whom it is directed to take into custody forthwith the person accused and bring him before the court. Sec. 349.

**Sec. 350.**

**NAME.**—If the name of the defendant is unknown he may be designated by any name, description or circumstances by which he can be identified with reasonable certainty, and, if necessary, may be tried and convicted under such name.

**R. S., ch. 24,  
sec. 299.**

**IMPRISONMENT—WORK-HOUSE.**—In actions for the violation of ordinances the first process shall be a summons; *provided, however*, that a warrant for the arrest of the offender may issue in the first instance upon the affidavit of any person that such ordinance has been violated and there is reasonable ground to believe the party charged is guilty thereof. Persons upon whom fines have been imposed may be committed to the county jail, house of correction, etc., until such fines shall be paid. No imprisonment, however, shall exceed six months for any one offense. The city council has the power to provide that every person so committed shall work at suitable labor not to exceed ten hours each day; they shall be allowed the sum of fifty cents for each day worked to apply on the fines and costs.

#### BASTARDY AND ILLEGITIMATES.

**R. S., ch. 17,  
sec. 1.**

**COMPLAINT BY MOTHER.**—Complaint may be made by any woman who shall be pregnant or delivered of a child deemed in law to be a bastard, before a justice of the peace or in the municipal court in the city of Chicago, accusing a person of being the father of a bastard child, and a warrant shall issue for such person.

**Sec. 4.**

**TRIAL.**—The juvenile court and other courts of competent jurisdiction shall have jurisdiction of bastardy proceedings. At the next term of the court a jury shall determine whether or not the person charged is the real father of the child.

**WITNESSES.**—The parties to the proceeding Sec. 6. may be witnesses.

**JUDGMENT FOR DEFENDANT.**—If the de- Sec. 7. fendant is found not guilty the woman making the complaint shall pay the costs, and judgment shall be entered therefor, and execution may issue thereupon.

**JUDGMENT AGAINST DEFENDANT.**—When Sec. 8. the defendant admits he is or is found to be the father, he shall be ordered to pay not exceeding \$200 for the first year after the birth of the child and not exceeding \$100 yearly for nine succeeding years for the support and education of the child and to pay the costs. He shall give bond with security for the faithful payment of such sum in equal quarterly installments to the clerk of the court.

**COMMITMENT.**—In case of failure to give Sec. 9. security the defendant may be committed to jail, from which he cannot be discharged for insolvency or inability to give bond within six months after commitment.

**MONEY, How USED.**—The money received Sec. 10. must be appropriated to the support of the child as directed by the court.

**JUDGMENT AGAINST SURETIES.**—Provides Sec. 11. for judgment against principal and sureties for unpaid installments and execution thereon, in case of default in the payments.

**CUSTODY OF CHILD.**—The reputed father of Sec. 13. the child has no right to the custody of the child where the mother wishes to retain control of it, until the child is 10 years of age.

**CHILD DYING.**—If at any time it be sug- Sec. 14. gested to the court that the child has died, or was never born alive, any bond thenceforth shall be void.

**MARRIAGE OF PARENTS—LEGITIMATED.**—If Sec. 15. the mother and reputed father of the bastard

child infirmarry after the birth of said child, it shall be deemed and held a legitimate child.

**Sec. 16.** **LIMITATION.**—Prosecution under this act must be started within two years from birth of bastard child, except that while the person accused shall be absent from the state, time shall not be computed; or where father acknowledges in open court the paternity, then within two years after the last such acknowledgment.

**Sec. 17.** **MOTHER MAY RELEASE.**—With the written consent of the county court the mother of a bastard child can release the reputed father upon the payment of any sum to her. She can release the reputed father without the consent of court upon the payment of not less than \$800.

**R. S., ch. 38,  
sec. 44.** **CONCEALING DEATH OF BASTARD—PUNISHMENT.**—Any woman who endeavors in any way to conceal the death of a child which, if born alive, would be a bastard, whether it shall have been murdered or not, shall be confined in the county jail not exceeding one year. Act does not prevent such mother from being punished for murder of such child.

**R. S., ch. 39,  
sec. 2.** **DESCENT—ILLEGITIMATES.**—An illegitimate child shall be heir of its mother and of any person from whom its mother might have inherited, if living; the lawful issue of an illegitimate person shall take by descent any estate which the parent would have taken, if living.

(For further information see the statutes.)

**Sec. 3.** **CHILD LEGITIMATED.**—An illegitimate child whose parents have intermarried and whose father has acknowledged it as his child, shall be considered legitimate.

### BIGAMY.

**R. S., ch. 38,  
sec. 28.** **PUNISHMENT.**—Whoever having a former husband or wife living, marries another

person or continues to cohabit with such second husband or wife in this state, is guilty of bigamy and may be imprisoned in the penitentiary from one to five years and fined up to \$1000. This section does not apply to any person whose husband or wife shall have been continually absent for five years prior to the second marriage, he or she not knowing such husband or wife to be living within that time. This section does not apply where persons have been lawfully divorced or the first marriage has been annulled.

MARRYING A BIGAMIST.—If any person being unmarried shall knowingly marry a bigamist, he or she shall be fined not more than \$500 or imprisoned in the county jail not exceeding one year or both. Sec. 30.

#### BILLIARDS AND POOL.

BILLIARD COMMISSION.—Ordinance creates Billiard Commission of the city of Chicago consisting of superintendent of police and six members appointed by the mayor. There is provision for a secretary. Counc. Proc.  
1920-21,  
p. 1417, sec. 1.

DUTIES OF COMMISSION.—The commission shall pass on the qualifications of applicants for licenses; and make rules and regulations for the enforcement of this ordinance. Sec. 2.

PERMIT.—It is unlawful for one to conduct a billiard room without a permit. Application must be made for it which will be investigated through the Billiard Commission by the means of inspectors. Sec. 3.  
*et seq.*

GAMBLING.—The throwing of dice, playing of cards, raffles, and gambling are not permitted. Sec. 11.

MINORS.—It shall be unlawful for any person under 18 years of age to play billiards or for anyone to permit him to remain in a Sec. 19.

billiard room for any purpose unless he is accompanied by a parent or guardian. It is unlawful for one to represent himself as 18 years of age when he is not.

Sec. 20.

PENALTY.—The penalty for violation of this ordinance is a fine of from \$10 to \$200. Each day of violation constitutes a separate offense.

#### BIRTHS AND DEATHS— REGISTRATION.

R. S., ch. 111½  
sec. 19. The State Board of Health shall have charge of the registration of births, still births and deaths. It shall keep records in its office at Springfield.

Sec. 21.

The state shall be divided into vital statistics districts. Each city, village and township under township organization, and road district where there is no township organization, shall constitute a registration district.

Sec. 22.

The clerk of a city or village shall be the local registrar. Where a local ordinance provides for a local registrar, he shall act in the same capacity under this act and subject to the regulations of the state board. The clerk of the township or of the road district shall be the local registrar.

Sec. 23.

No disposition of the body of one who has died shall be made except on a permit by the local registrar. This shall issue only when practicable upon the filing of a complete and satisfactory certificate of death.

Sec. 24.

A still born child shall be registered as a stillbirth and a certificate filed with the registrar. A certificate of death shall state the cause, etc.

Sec. 25.

The certificate and record of death or stillbirth of an illegitimate child shall not contain the name or other identifying facts of the father or mother without their consent.

All births occurring in the state shall be registered immediately in the proper district. Sec. 30.  
The physician or midwife shall file a certificate of birth in the form prescribed by the state board of health with the local registrar within ten days after birth. If there is no physician or midwife, the father or mother of the household where the birth occurred shall file the certificate. If the birth is in a private or public institution, the superintendent shall file it. To prevent blindness and otherwise conserve the health and life of infants the state board may require the filing of certificates within twenty-four hours.

The certificate shall contain at least the items of the standard certificate of birth adopted by the United States Bureau of the Census, except as to names and identifying facts in the case of an illegitimate child. Sec. 31.

Every physician, midwife, undertaker and sexton shall register his name and occupation with the local registrar of the district. The local registrar shall report this within thirty days after the close of each calendar year to the State Board of Health. Sec. 33.

Those in charge of all hospitals, alms houses, lying-in or other institutions, public or private, shall make a record of all personal and statistical particulars relative to the inmates. Sec. 33 (a).

The section provides the penalties for violation of this act, which is made a misdemeanor. Punishment—first offense not less than \$5 nor more than \$50; any subsequent offense from \$10 to \$100 or imprisonment up to sixty days in the county jail or both. Sec. 33 (f).

The State Board of Health shall investigate and report the violations of this act to the state's attorney of the county. It shall be his duty to initiate and to follow up the necessary court proceedings. Where local ordinances Sec. 33 (g).

provide for local registrars, violations may be reported to the local city or prosecuting attorney for action.

C. C. 1911,  
sec. 1188.

Every physician and midwife shall report the birth of every child to the health department within thirty days from the date of birth in writing on blank forms to be furnished, and shall give the name, date of birth of the child and any other information required.

R. S. ch. 38,  
sec. 551.

BLINDNESS—PREVENTION.  
Any diseased condition of the eyes of an infant in which there is any inflammation, swelling or redness with or without discharge at any time within two weeks after birth shall be known as ophthalmia neonatorum.

Sec. 552.

Any physician, nurse or hospital noting this condition must report it within six hours to the local health authorities. (The rest of the act has to do with the prevention of the spread of this disease.)

Counc. Proc.  
1911-12,  
p. 3173.

PHYSICIAN, ETC., TO REPORT SORE EYES.—Every physician, midwife, nurse or person attending a child at birth or within 7 days thereafter shall report to the Commissioner of Health every case of sore eyes within 24 hours after discovering the same. The penalty is a fine of from \$5 to \$25 for each offense.

#### BOARDING HOMES.

Sess. L. 1919,  
p. 248.  
sec. 1.

It is unlawful for any person or association to conduct a boarding home for children under 16 years of age without a license.

Sec. 2.

WHEN ACT DOES NOT APPLY.—The act does not apply to any institution operated and maintained by the state, nor to any association licensed and created pursuant to the juvenile court law, nor shall it be construed as amending that law.

**WHEN A BOARDING HOME.**—A person, association, etc., is the keeper of a boarding home for children, if for hire, directly or indirectly, he or it,

(1) Advertises or holds himself or itself out as conducting such a boarding home.

(2) Has in custody or control two or more children under such age unattended by parents or guardian for the purpose of providing such children with care, food or clothing.

The law does not apply to homes where the children are related by blood or marriage to the family with which they live, or have been legally adopted, or to a home in which children have been placed by a parent or guardian if the home maintains the standards required in section 6.

**LICENSE.**—The department of public welfare shall grant a license to any person conducting or maintaining a boarding home for children upon compliance by the person with the standards required. The license shall remain in force one year and shall contain certain information.

**REPORTS.**—The holder of a license shall report to the department of public welfare quarterly certain required information on blanks prescribed by the department.

**STANDARDS.**—Every holder of a license to conduct a boarding home for children shall maintain standards as follows:

(1) The food must be clean, wholesome and suitable in amount and character.

(2) Children shall receive kind and humane treatment.

(3) The health of the children must be adequately safeguarded.

(4) The education provided must be equivalent to that required by the school laws.

Sec. 3.

Sec. 4.

Sec. 5.

Sec. 6.

6 4 34

(5) Nothing detrimental to the moral welfare of the children shall be permitted on the premises.

(6) The buildings and equipment must be sanitary and in no way endanger the lives or welfare of the inmates.

(7) In releasing children from the home, due regard must be given the future health, comfort, education and welfare of the children.

(8) The care, treatment and discipline must approximate that given children of worthy parents in the average normal family.

**Sec. 7.** INSPECTION.—This section provides for inspection of the homes by the department of public welfare.

**Sec. 9.** LICENSE REVOKED.—The department of public welfare, after investigation and after ten days' notice, and hearing, may revoke any license for violation of this act.

**Sec. 10.** PENALTY.—A violation of the act is a misdemeanor and the penalty is a fine of not more than \$300, imprisonment of not more than six months, or both.

#### CHILD LABOR.

**R. S., ch. 38,  
sec. 42 (a).** CERTAIN EMPLOYMENTS FORBIDDEN.—It shall be unlawful for any person having the care, custody or control of any child under the age of 14 years to exhibit, use or employ, sell, apprentice, give away or let out any such child to any person in or for the vocation of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, rider or acrobat in any place whatsoever, or for any obscene, indecent, or immoral purpose, exhibition or practice whatsoever, or for or in any business or exhibition injurious to the health or dangerous to the life or limb of such child, or

cause, procure or encourage any such child to engage therein. Engagement of children to sing in churches, schools or academies excepted.

**UNLAWFUL TO EXHIBIT.**—It shall be unlawful for any person to take, hire, use, etc., any such child for the purpose prohibited in the section above. Sec. 42 (b).

**ORDER AS TO CUSTODY.**—When it shall appear to the court that a child has been engaged or used in violation of sec. 42a, or anyone having the custody of a child shall have been convicted of a criminal assault upon such child, if the court deems it desirable that such person shall be deprived of the custody of the child, such child shall thereafter be deemed to be in the custody of the court, and the court may make such order as to the custody thereof as now is or hereafter may be provided by law in cases of vagrant, truant, disorderly, pauper, or destitute children. Sec. 42 (c).

**ENDANGERING LIFE OR HEALTH.**—It is unlawful for any person to permit the life of any child in his or her custody to be endangered, or its health to be injured. Sec. 42 (d).

**PENALTY.**—For a first offense, fine not exceeding \$100 or imprisonment in the county jail up to three months, or both. For second or subsequent offense, fine not exceeding \$500 or imprisonment in penitentiary not less than one year nor exceeding two years, or both. Sec. 42 (e).

**CHILD UNDER 14.**—A child under 14 years of age shall not be employed, permitted or suffered to work at any gainful occupation in a theater, concert hall, place of amusement, mercantile institution, store, office, hotel, laundry, manufacturing establishment, factory, etc., in this state. No child under 14 years of age shall be employed at any work per-

Sess. L. 1921,  
p. 435,  
sec. 1.

formed for any compensation, to whomsoever payable, during any portion of any month when the public schools of the city in which he or she resides are in session, nor be employed before seven o'clock in the morning or after six o'clock in the evening. No child shall be allowed to work more than eight hours per day.

**Sec. 2.**

**REGISTER.**—Every person, firm or corporation employing minors over 14 years and under 16 years of age in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, theater, concert hall, or place of amusement, factory or work shop, shall keep a register in such place in which shall be recorded the name, age and place of residence of every child so employed. No person, firm or corporation shall employ or permit to work any child over 14 years and under 16 years of age in any of the above-mentioned places unless an employment certificate, issued as hereinafter provided, is first procured and placed on file in such place of business.

**Sec. 3.**

**WALL LISTS.**—There shall be posted in a conspicuous place in every room in every establishment employing five or more children over the age of 14, and under the age of 16 years, in any of the foregoing employments, a list containing the name, age and place of residence of every such person employed or permitted to work in such room.

**Sec. 4.**

**EMPLOYMENT CERTIFICATE.**—An employment certificate shall be issued by the superintendent of schools or by a person authorized by him in writing; if there is no superintendent, then by one authorized by the local school authorities. No member of the school board may issue a certificate for the minor entering his establishment. The person authorized to

issue certificates has authority to administer oaths.

**APPLICATION FOR EMPLOYMENT CERTIFICATE.**—The minor must apply in person for the certificate, accompanied by a parent or guardian. The certificate issues only on the approval of (a) school report; (b) certificate of physical fitness; (c) proof of age, and (d) statement from employer of the character of employment he expects to give the minor. The school record shall certify that the minor is able to read and write legible, simple sentences in the English language and has completed a course of study equivalent to the work prescribed for the first six years of the public elementary schools in spelling, reading, writing, arithmetic to and including fractions, geography and history and has attended school for at least 130 days during the year preceding the date of the statement, or between his fourteenth and fifteenth birthday. (Section prescribes other information to be set out in this record; and what shall constitute the various proofs of age admissible.)

Sets out form of employment certificate— Sec. 6.  
and the method of issuing it.

**DUTY OF EMPLOYER.**—The employer shall Sec. 7. acknowledge receipt of employment certificate within three days and he shall return the same to the issuing officer within three days after the termination of the employment. The issuing officer shall then so notify the compulsory attendance officer. A new employment certificate may be issued on re-examination of the minor for physical fitness.

**INSPECTION.**—The department of labor shall Sec. 8. visit the various places enumerated in section 2 and ascertain if minors are employed contrary to law. The school authorities shall re-

port to this department all complaints received by them of violations of this law.

**Sec. 9.**

**HOURS OF LABOR.**—No person under 16 years of age shall be employed or permitted to work at any gainful occupation more than six days in one week, more than eight hours in one day, or before 7 o'clock in the morning or after 7 o'clock in the evening.

**Sec. 10.**

**FORBIDDEN EMPLOYMENT.**—No minor under 16 years of age shall be employed at sewing belts, adjusting belts to machinery, oiling, wiping or cleaning machinery, operating circular or band saws, wood shapers, wood joiners, planers, sand paper or wood polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines, nor in operating passenger or freight elevators, steam boilers, steam machinery, dough braker or cracker machinery, wire or iron-straightening machinery, rolling mill machinery, punches or shears, washing, grinding or mixing mill or calendar rolls in rubber manufacturing nor laundry machinery. He shall not be employed in any mine or quarry, in preparing compositions in which dangerous acids are used nor in manufacturing of paints, colors or white lead. He shall engage in no employment dangerous to life or limb, or where the health may be injured or morals depraved; nor in a bowling alley nor in a theatre or place of amusement wherein intoxicating liquors are sold. Nor shall any female under such age be employed where the employment requires her to remain standing during the performance of her work.

**Sec. 11.**

***Prima Facie* EVIDENCE OF EMPLOYMENT.**—The presence of a child under 16 years of age in any manufacturing establishment shall con-

stitute *prima facie* evidence of its employment there.

**ENFORCEMENT OF ACT.**—The department of labor shall enforce the provisions of this act and prosecute all violations of the same. The officers of the department shall visit and inspect at all reasonable times and as often as possible all places covered by the act. Truant and other school officers may enter any place where children are believed to be employed and inspect the work certificates. Such officers shall file complaint against any firm found violating this act. Sec. 12.

**PENALTY.**—Anyone having the control of a minor under 16 years of age permitting him to be employed in violation of this act shall be fined not less than \$5 nor more than \$25 and shall stand committed until the fine and costs are paid. Sec. 13.

Every person authorized to sign certificates, who certifies to any material false statement is guilty of a violation and shall be fined from \$5 to \$100 for each offense and shall stand committed until the fine and costs are paid.

Failure to produce to the proper officers, employment certificates or lists, constitutes a violation of the act.

Any person, firm or corporation whether by himself or through his agents who violates this act shall be fined from \$5 to \$200 for each offense and shall stand committed until such fine and costs are paid.

**CRUELTY TO CHILDREN—EXHIBITION.**—C. C.  
sec. 2001. Practically same as sec. 42a, Criminal Code, R. S. It adds that the vocations enumerated shall not be followed in any saloon, or in the streets or alleys.

**LIFE OR HEALTH ENDANGERED.**—No person Sec. 2002. shall take or receive any child under 14 years

of age for any employment dangerous to health.

**Sec. 2003.**

**PENALTY.**—Any person violating 2001 and 2002 *supra*, or who is guilty of cruelty to any child (1) by cruelly beating, torturing, over-working, etc.; (2) by unnecessarily failing to provide any child in his charge with proper food, drink, shelter or raiment; (3) by abandoning any child; (4) by wilfully and unnecessarily exposing to the inclemency of the weather or by injuring in any manner such child in health or limb, shall be fined from \$5 to \$100 for each offense.

Counc. Proc.  
1918-19,  
p. 639.

**MINORS IN PAWN SHOP.**—(Amends C. C. sec. 1756 changing it to sec. 1755.) No pawn-broker shall permit any one under 16 years of age to take pledges in pawn for him nor shall he purchase second-hand articles from him.

### CHILDREN'S BUREAU.

6 Fed. St. Ann.  
295,  
sec. 1.

**Sec. 2.**

Establishes in the department of Commerce and Labor a bureau to be known as the Children's Bureau.

The bureau is under the direction of a chief appointed by the president, with the advice and consent of the Senate. The salary is \$5000 a year. The bureau shall investigate questions of infant mortality, the birth rate, orphanage, juvenile courts, desertion, dangerous occupations, accidents and diseases of children, employment, legislation affecting children in the several states and territories. No official, agent, etc., shall enter the house used exclusively as a family residence over the protest of the head of the family. The chief may publish the results of investigations to the extent and as prescribed by the Secretary of Commerce and Labor.

**TRANSFER OF BUREAU.**—The Children's <sup>6 Fed. St. Ann.</sup> Bureau is hereby transferred to the Department of Labor. <sup>286.</sup>

### CITY COUNCIL.

**POWERS.**—The city council in cities, and the president and the board of trustees in villages, shall have, among others, the following powers: <sup>Sess. L. 1921,  
p. 314 et seq.</sup>

Forty-first. To license, tax, regulate, suppress and prohibit hawkers, peddlers, pawn-brokers, keepers of ordinaries, theatricals and other exhibitions, shows and amusements and to revoke such license at pleasure.

Forty-fifth. To suppress bawdy and disorderly-houses, houses of ill-fame or assignation, within the limits of the city or within three miles of the outer boundaries of the city; also to suppress gambling, lottery and all fraudulent devices and practices; and to prohibit the sale or exhibition of obscene or immoral publications, prints, pictures or illustrations.

Forty-sixth. To license, regulate, prohibit the selling or giving away of any intoxicating malt, vinous, mixed or fermented liquor.

Forty-eighth. The city council shall have power to forbid and punish the selling or giving away of any intoxicating liquors to any minor, apprentice or servant, or insane, idiotic or distracted person, habitual drunkard or person intoxicated.

Fifty-eighth. To regulate places of amusement.

Fifty-ninth. To prevent intoxication, etc., and all disorderly conduct.

Ninety-fifth. To tax, license and regulate second-hand and junk stores and to forbid their purchasing or receiving from minors,

without the written consent of their parents or guardians, any article whatsoever.

Ninety-seventh. To acquire private lands bordering upon public or navigable waters, useful, desirable or advantageous for bathing beaches and recreation piers.

One-hundredth. To pass all ordinances, rules, etc., to carry into effect the powers granted the cities, with fines not to exceed \$200 and imprisonment not to exceed six months, for one offense.

#### COCAINE AND OPIUM.

R. S. ch. 91,  
sec. 32 (a).

**SALE OF OPIUM, ETC., FORBIDDEN.**—It shall be unlawful for any person to sell, distribute or give away any opium or coca leaves or any compound, manufacture, salt, derivative or preparation thereof, except on the written prescription of a licensed physician, dentist, or veterinarian properly registered with the United States collector of internal revenue in the district in which he resides; this section prescribes certain information which shall be contained in the prescription. This section does not apply to the prescribing for a patient by any such licensed physician, dentist or veterinarian. Such licensed persons however shall keep a record of all such drugs dispensed, showing certain information required by this section. Nor does the section prohibit sales by manufacturers or druggists in certain instances. It does not apply where the preparation contains not more than 2 grains of opium,  $\frac{1}{4}$  grain of morphine, or  $\frac{1}{8}$  grain of heroin or more than 1 grain of codeine to the ounce. This section does not apply when the preparations are so made as not to possess narcotic or habit-forming properties.

Sec. 32 (c).

**PENALTY.**—The penalty for first offense is a fine up to \$1000 or imprisonment up to

one year in the county jail, or both; for each additional offense a fine of not less than \$200 nor more than \$1000 or imprisonment not less than 3 months nor more than 12 months in the county jail, or both. If the offender has a license it may be revoked.

**COCAINE AND OTHER DRUGS—SALE FORBIDDEN.**—No person shall sell or give away any morphine, cocaine, or any compound thereof, etc., except upon the written prescription of a physician, which prescription shall contain the name and address of the person for whom prescribed and the date the same shall have been filled, and shall be permanently retained on file by the person where the same shall have been filled and it shall be filled but once and of it no copy shall be taken and the original shall at all times be open to the inspection of the prescriber, the state board of pharmacy and all officers of the law.

The above does not apply to selling at wholesale upon the written order of the pharmacist, physician, or dentist, etc. The wholesale dealer shall keep a book containing the names of purchasers, which shall always be open for inspection.

It shall be unlawful for any person to prescribe, sell or offer for sale any morphine, cocaine or any compound thereof to anyone addicted to the habitual use of the same.

Penalty—fine of \$50 to \$200.

**OPIUM SMOKING ROOMS.**—Opium smoking or inhaling rooms are forbidden. Any person guilty of maintaining such place may be fined from \$5 to \$100 and all articles and paraphernalia used for the purpose of smoking opium shall be confiscated.

**HARRISON ANTI-DRUG LAW.**—Every person who produces, imports, manufactures, compounds, deals in, dispenses, sells, or gives

C. C.  
sec. 808.

Sec. 812.

5 U. S. S. A.  
1120  
sec. i.

away opium or coca leaves, or any compound, manufacture, salt, derivative or preparation thereof, shall register with the collector of internal revenue his name and place of business and shall pay a special tax of one dollar at the time of registry, and on or before the first day of July annually thereafter.

**Sec. 2.**

Makes it unlawful to sell, trade, barter, exchange or give away, except in pursuance of a written order on a blank form issued by internal revenue collector, any of the above mentioned products. Provides that records shall be kept two years, and be readily accessible for inspection by employees of Treasury Department. Every person ordering and every person accepting such order shall keep copies of the same for two years. Forms above mentioned are to be sold by the internal revenue collector, and the name of the buyer to be plainly written or stamped thereon. It is made unlawful for any person to obtain by means of said orders, any of the aforesaid products for any purpose other than the use, sale, or distribution thereof, in the conduct of a lawful business in said drugs, or in the legitimate practice of his profession.

**Sec. 3.**

Provides for a statement or return of all the drugs received by each person registered, whenever such return shall be required by the collector of internal revenue.

**Sec. 4.**

Prohibits traffic by unregistered persons, except common carriers and persons having prescription of a physician or dentist.

**Sec. 6.**

Provides that the act shall not apply to prescriptions containing not more than two grains of opium, one-fourth grain morphine, one-eighth grain heroin, or one grain of codeine, *provided*, such remedies are distributed as medicines, and not for the purpose of evading the act.

Makes it unlawful for any person not registered, and who has not paid the special tax, to have in his possession or under his control any of the aforesaid drugs, excepting employees and nurses directly under the supervision of physician, etc. **Sec. 8.**

Any person who violates or fails to comply with the provisions of the act shall on conviction be fined not more than \$2000 or be imprisoned for not more than five years, or both, in the discretion of the court. **Sec. 9.**

### CONTINUANCES IN COURT.

FOR EVIDENCE.—A motion for the continuance of a case on account of the absence of material evidence must be supported by an affidavit showing that due diligence has been used to obtain such evidence or the want of time to get it and of what particular facts such evidence consists, the place of residence of the witness if known and that if further time is given such evidence can be procured. If the affidavit shows that the witness is in the military or naval service of the United States or on duty in the National Guard it shall not be necessary for the party to show diligence in procuring his attendance. **Sess. L. 1919,**  
**P. 709.**

IMMATERIAL EVIDENCE—AFFIDAVIT ADMITTED.—If the court is satisfied that such evidence is immaterial or if the other party will admit the affidavit in evidence, the case shall not be postponed. **R. S., ch. 110,**  
**sec. 63.**

EFFECT OF ADMITTING AFFIDAVIT.—The party admitting such affidavit admits only that if the absent witness were present he would testify as alleged in the affidavit; the statements in such affidavit may be controverted or the witness impeached the same as if he were present and examined in open court. **Sec. 64.**



**Secs. 65 and  
66.**

**CONTINUANCE IN TIME OF WAR.**—There may be a continuance of the case if the defendant is in the military service of the United States, or of this state in time of war or insurrection, if defendant's appearance is necessary, or if it appears by affidavit that any party or attorney in the case is a member of the legislature and in actual attendance on the sessions thereof and that the attendance of such parties or attorney is necessary to a fair and proper trial of such suit; when a case is so continued no trial or other proceedings shall be had until ten days after the adjournment of the legislature.

**Sec. 67.**

**CASES EXCEPTED.**—The foregoing section shall not apply to applications for continuance because of the absence of any attorney who shall not have been actually employed in such suit prior to the commencement of such session of the general assembly.

#### **CONTRIBUTING TO DEPENDENCY OF CHILDREN.**

**R. S., ch. 38,  
sec. 1.**

**Sec. 2.**

A dependent and neglected child is a male under 17 years, or a female under 18 years, who for any reason is destitute, homeless or abandoned; dependent upon the public for support; or has not proper parental care or guardianship; habitually begs or receives alms; is found living in any house of ill-fame or with any vicious or disreputable person; has a home which by reason of neglect, cruelty or depravity on the part of the parents or guardian is an unfit place for a child; and any child who while under 10 years of age is found begging, peddling or selling any article, or singing or playing any musical instrument for gain upon the street or giving any public entertainment, or is used in aid of any person so doing; any person or parent having the cus-

tody of any child under the ages given who knowingly causes, aids or encourages such person to become dependent and neglected or knowingly does acts which render the child dependent, or who knowingly fails to do that which will directly prevent such dependency is guilty of a misdemeanor. Punishment—fine up to \$200, imprisonment for a year, or both, *provided* that the court may release the defendant on probation on condition that he provide for the child as ordered and prevent any further dependency.

The husband or wife of the defendant shall Sec. 3.  
be a competent witness.

#### CONTRIBUTING TO DELINQUENCY OF CHILDREN.

A delinquent child is a male under 17 years R. S., ch. 38,  
or a female under 18 years who violates any sec. 1.  
law of this state; is incorrigible, or knowingly associates with thieves, vicious or immoral persons or without just cause or consent of the parents absents itself from home or is growing up in idleness or crime; knowingly frequents a house of ill-repute; knowingly frequents any policy shop or gambling place; frequents any saloon; patronizes or visits any public pool room; wanders about the streets at night without lawful occupation; habitually wanders about railroad tracks; uses vile, obscene, profane or indecent language in any public place or about any school house, or is guilty of indecent or lascivious conduct.

Any one who knowingly causes any person Sec. 2.  
within such ages to become a delinquent child as herein defined, or who knowingly does acts that tend to make a child delinquent, or who wilfully neglects to do that which will prevent delinquency, is guilty of a misdemeanor.

Punishment—fine up to \$200, imprisonment up to one year, or both.

Sec. 3.

The husband or wife of the defendant may testify.

### CONVEYANCES.

R. S., ch. 30,  
sec. 18.

**CONVEYANCES BY MARRIED WOMEN.**—Any married woman over 18 years of age joining with her husband in the execution of any deed or other writing relating to the conveyance of her lands, shall be bound and concluded by the same in respect to her right, title, and claim or interest in such estate as if she were sole.

Sec. 19.

**ACKNOWLEDGMENT BY MARRIED WOMAN.**—The acknowledgment or proof of any deed, mortgage, conveyance and release of dower, power of attorney or other writing relating to the conveyance of real estate by a married woman, may be made and certified the same as if she were unmarried and shall have the same effect.

### CONVICT LABOR ON ROADS.

R. S., ch. 109,  
sec. 106.

The commissioners of the various penitentiaries and the board of managers of the state reformatory are authorized to employ convicts and prisoners in working on the public roads, or in crushing stone, or in preparing other road building materials at points outside of the walls.

### CRIMES AGAINST CHILDREN.

R. S., ch. 38,  
sec. 42(ha).

Any person 17 years of age or older who takes or attempts to take any immoral, improper or indecent liberties with any child of either sex under the age of 15 years with the intent of arousing, appealing to or gratifying the lust or passions or sexual desires of either such person or child, or who shall com-

mit or attempt to commit any lewd or lascivious acts upon the body of such child, with such intent, or any person who shall entice, allure or persuade any such child to any place whatever for the purpose of taking any such immoral or indecent liberties, shall be imprisoned in the penitentiary not less than one nor more than twenty years. Act does not apply to offenses constituting incest, rape, seduction, sodomy, or other infamous crime.

#### CRIME AGAINST NATURE.

The infamous crime against nature, either Sec. 47. with man or beast, is punishable with imprisonment in the penitentiary from one to ten years.

#### CRIMES—DEFINITIONS.

FELONY.—A felony is an offense punishable Sec. 277. with death or imprisonment in the penitentiary.

MISDEMEANOR.—Every other offense is a Sec. 278. misdemeanor.

WHAT CONSTITUTES AN OFFENSE.—In the Sec. 280. commission of a criminal offense there is the joint operation of act and intention, or criminal negligence.

ACCESSORY BEFORE THE FACT.—He who Sec. 274. stands by and aids, or not being present, aiding, hath advised, encouraged or abetted the perpetration of a crime, is an accessory before the fact and punishable as a principal.

ACCESSORY AFTER THE FACT.—Every person Sec. 276. not standing in the relation of husband or wife, parent or child, brother or sister who knows the fact and conceals it, or who harbors the principal, is an accessory after the fact, and punishable by imprisonment not less than one and not exceeding two years, or fine not exceeding \$200.

**Sec. 273.**

**ATTEMPT TO COMMIT AN OFFENSE.**—Whoever attempts to commit an offense prohibited by law and does any act towards it, but fails or is intercepted or prevented in its execution, where no express provision is made by law for the punishment of such attempt, shall be punished when the offense thus attempted is a felony, by imprisonment in the penitentiary from one to five years; in all other cases by fine not exceeding \$300, or by confinement in the county jail not exceeding six months.

**Sec. 279.**

**INFAMOUS CRIMES.**—Every person convicted of the crime of murder, rape, kidnapping, wilfull and corrupt perjury, or subordination of perjury, arson, burglary, robbery, sodomy, or other crime against nature, incest, forgery, counterfeiting, bigamy or larceny, if the punishment for said larceny is by imprisonment in the penitentiary, shall be deemed infamous, and shall forever thereafter be rendered incapable of holding any office of honor, trust or profit, of voting at any election or serving as a juror, unless restored to such rights by a pardon or otherwise according to law. Provisions do not apply to those sentenced to the Illinois Reformatory.

#### **CRIMES—WHO NOT GUILTY.**

**R. S., ch. 38,  
sec. 283.**

**INFANT.**—An infant under the age of 10 years shall not be found guilty of any crime or misdemeanor.

**Sec. 284.**

**INSANITY.**—An insane person without lucid intervals shall not be found guilty of any crime with which he may be charged.

**Sec. 286.**

**IDIOCY.**—An idiot shall not be found guilty of any crime with which he may be charged.

**Sec. 287.**

**COUNSELING INFANT OR IDIOT TO COMMIT CRIME.**—Any person encouraging an infant under the age of 10 years or an idiot to com-

mit an offense shall be prosecuted for such offense as a principal.

MARRIED WOMEN ACTING UNDER THREATS. Sec. 288.

—If violent threats, command or coercion are used by the husband, a married woman acting under them shall not be found guilty of any crime not punishable with death. In such case the husband shall be prosecuted and shall receive the punishment which otherwise would have been inflicted on the wife.

CRUELTY TO CHILDREN.

CRUELTY TO CHILDREN AND OTHERS.—Any person wilfully and unnecessarily exposing to the inclemency of the weather, or injuring the health of any child under his or her legal control, is punishable by fine not exceeding \$500, or imprisonment in the penitentiary not less than one year nor exceeding five years. (See also sec. 42d, p. 31, and sec. 2002, p. 35, *supra*.)

CURFEW LAW.

No child under 16 years of age is permitted to linger, loiter, play or be present on the streets or in public places in the city after 10 o'clock in the evening except those who are engaged in a lawful occupation or are accompanied by a parent or proper companion over 21 years of age.

Counc. Proc.  
1920-21,  
p. 1306, sec. 1.

WARNING TO CHILD.—(As amended by Sec. 2. Counc. Proc. 1920-21, p. 2215.) The police shall warn any child violating the ordinance and report the case to his superior officer. The parent of the child shall be warned in writing. Any child who disregards the warning shall be regarded as a juvenile delinquent and shall be brought into the juvenile court. Any parent or guardian may be fined from \$5 to \$100 for violating the ordinance.

## CUSTODY AND SUPPORT OF CHILDREN.

R. S., ch. 40,  
sec. 13.

**DIVORCE.**—During the pendency of a divorce suit, on application of either party the court may enter such order concerning the custody of the minor children as may be deemed for the benefit of the children.

Sec. 18.

**CUSTODY AND SUPPORT.**—After a decree of divorce, the court may make such order touching the maintenance, care, custody and support of the children concerned as shall be fit, reasonable and just. Decree may be altered at any time, if advisable.

R. S., ch. 68,  
sec. 16.

**CUSTODY.**—If the husband abandons the wife she is entitled to the custody of the minor children unless the court shall otherwise direct. They cannot be deprived improperly of their homestead.

R. S., ch. 3,  
sec. 77.

**ALLOWANCE TO CHILDREN.**—Whenever a housekeeper or the head of a family dies leaving no widow or husband surviving, but leaving children, there should be allowed to the children of the deceased residing with him or her at the time of death the amount of property and money which the law provides should be allowed to the widow for herself and children, which shall not be less than \$500 for the widow and an additional sum, not to exceed \$200, for each minor child under 18 years at the time of the death of such person. Personal property may be taken in lieu of the money.

R. S., ch. 68,  
sec. 15.

**EXPENSES OF FAMILY.**—The expenses of the family and of the education of the children shall be chargeable upon the property of both husband and wife, or of either of them, in favor of the creditors thereof, and they may be sued jointly or separately.

## DAY NURSERIES.

DAY NURSERIES.—A day nursery is an institution or place where are received three or more children not of common parentage, under 14 years of age, at one time for periods of over four hours and not over twenty-four hours for nursing or care apart from the parents, for compensation. Sec. C, Sec. 1235 (f).

This section requires the permit. Sec. 1235 (g).

This section provides for application for the permit. Sec. 1235 (h).

A thorough inquiry shall be made by the Commissioner of Health into the character of the place and of the person to be in charge of the day nursery. There shall be an annual fee of \$1. Sec. 1235 (i).

This section provides for the amount of air space and ventilation, the equipment of the rooms, toilet facilities, and an isolation room for communicable diseases. Sec. 1235 (j).

This section provides that everything about the institution shall be kept in a sanitary condition. Sec. 1235 (k).

This section provides for the inspection of children applying for admission, as to communicable diseases. There shall be re-examination after an absence of one week. The matron shall inspect each child every time it enters. If there appears any suspicion of a communicable disease the child shall be placed in isolation and reported to the physician. It is unlawful for the day nursery to receive any child having a communicable disease. Sec. 1235 (l).

A register shall be kept showing the names and addresses of the children and the dates of entry and removal. Sec. 1235 (m).

The nursery shall report to the Commissioner of Health at once by telephone and mail all communicable and contagious diseases. Sec. 1235 (n).

There shall be reports each month on or before the 5th to be made on blanks provided by the Commissioner of Health.

**Sec. 1235 (o).** The Commissioner of Health has the right to inspect the nursery when he deems it necessary or on complaint. In a proper case he may revoke the permit of the nursery.

**Sec. 1235 (p).** Operating the day nursery without permit or after revocation of the permit is a violation of the ordinance, calling for a fine of from \$10 to \$200. If the provisions of the ordinance are violated it is the duty of the Commissioner of Health to close the place.

#### DISORDERLY CONDUCT.

**R. S., ch. 38,  
sec. 55.** **PUNISHMENT.**—Whoever shall be guilty of open lewdness, disorderly conduct or other notorious act of public indecency, tending to debauch the public morals, shall be fined not exceeding \$200.

**Sec. 56.** **DISTURBING THE PEACE.**—Whoever wilfully disturbs the peace and quiet of a neighborhood or family by loud or unusual noises, threatening, quarreling, fighting, or in any other manner, or whoever shall carry concealed weapons, or display any deadly weapon in a threatening manner, shall be fined not exceeding \$100.

**C. C.  
sec. 2012.** **DISORDERLY CONDUCT.**—All persons who shall make, aid, countenance or assist in making any improper noise, riot, disturbance, breach of the peace or diversion tending to a breach of the peace; all persons who shall collect in crowds for unlawful purposes or for any purpose to the annoyance and disturbance of other persons; all persons who are idle and dissolute and go about begging; . . . . all persons who are found in houses of ill-fame or gaming houses; all persons lodging in or

found in out-houses, sheds, etc., or unoccupied buildings, or underneath sidewalks, or lodging in open air and not giving good account of themselves; . . . . all persons who shall engage in any fraudulent scheme, device or trick to obtain money or other valuable thing, or who shall aid or abet or in any manner be concerned therein; . . . . all persons found loitering about in any hotel, block, bar room, dram shop, gambling house or disorderly house or wandering about the streets without any known lawful means of support or without being able to give a satisfactory account of themselves; all persons carrying deadly weapons or known to be thieves or criminals who are found lounging in or prowling or loitering around any railroad depot, place of amusement, auction room, hotel, store, shop, public conveyance, public gathering, court room, or any public place and who are unable to give a reasonable excuse for being so found, shall be deemed guilty of disorderly conduct. Penalty—fine of \$100 to \$200.

#### DIVORCE.

Divorce may be had when either party at the time of the marriage was and continues to be impotent; or he or she had a wife or husband living at the time of the marriage; or either party has committed adultery; or wilfully deserted or absented himself or herself, without any reasonable cause, for the space of two years; or has been guilty of habitual drunkenness for the space of two years; or has attempted the life of the other by poison or other means showing malice, or has been guilty of extreme and repeated cruelty; or has been convicted of infamous crime.

ALL MARRIAGES WITHIN ONE YEAR AFTER DIVORCE FORBIDDEN.—Neither party shall marry again within one year from the time the

R. S. ch. 40,  
sec. 1.

...  
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decree was granted; if the cause of divorce was adultery the person declared guilty shall not marry for two years. But the parties may re-marry each other. The penalty for violating this law is imprisonment in the penitentiary from one to three years and the marriage shall be held absolutely void.

- Sec. 2.**      **RESIDENCE.**—No one shall be entitled to a divorce who has not resided in the state one whole year next before the filing of the bill unless the offense complained of was committed within this state or while one or both of the parties resided in this state.
- Sec. 3.**      **LEGITIMACY OF CHILDREN.**—No divorce shall affect the legitimacy of the children of the marriage except where the marriage has been declared void because of prior marriage.
- Sec. 12.**      **RESTRAINT OF WIFE.**—The court may prohibit the husband from interposing any restraint on the personal liberty of the wife during the divorce case.
- Sec. 13.**      **CUSTODY OF CHILDREN.**—See page 48.
- Sec. 14.**      **WIFE MAY SUE AS A POOR PERSON.**—If it appears satisfactorily to the court that any woman is poor and unable to pay the expenses of such suit she shall be allowed to prosecute her complaint for divorce without costs.
- Sec. 15.**      **ALIMONY PENDING SUIT.**—The court may require the husband to pay to the wife or into court for her use during the suit such money as may enable her to maintain and defend the same; and when it is just and equitable the wife shall be entitled to alimony during the suit.
- Sec. 16.**      **RESUMING FORMER NAME.**—The court upon granting the woman a divorce may allow her to resume her maiden name or the name of any former husband.

**ALIMONY—CUSTODY AND SUPPORT OF CHILDREN.** Sec. 18.

When the divorce is decreed the court may make such order as to alimony and maintenance of the wife and care and custody of the children as from the circumstances of the parties and the nature of the case shall seem fit, reasonable and just. The husband may be compelled to give reasonable security for the alimony. The court may from time to time make such alterations in the allowance of alimony and care, custody and support of the children as shall seem reasonable and proper.

**DOWER.**

**DOWER OF WIFE.**—The surviving husband or wife shall be endowed of the third part of all lands whereof the deceased wife or husband was seized of an estate of inheritance at any time during the marriage unless the same shall have been relinquished in legal form. R. S., ch. 41,  
sec. 1.

**DOWER BARRED BY WILL.**—Any provision made by will of the deceased husband or wife for the surviving wife or husband shall unless otherwise expressed in the will bar the dower of such survivor in the lands of the deceased unless such survivor renounces the benefit of the provision; in which case he or she shall be entitled to the dower rights in the lands and to one-third of the personal estate after the payment of debts. Sec. 10.

**EFFECT OF DIVORCE.**—If any husband or wife is divorced through the fault or misconduct of the other, he or she shall not thereby lose dower; but if such divorce shall be through his or her own fault or misconduct such dower and any estate granted by the laws of the state in any real or personal estate of the other shall be forfeited. Sec. 14.

**ABANDONMENT—ADULTERACY.**—If the husband or wife voluntarily leave the other and Sec. 15.

commit adultery, he or she shall be forever barred of dower unless they afterwards become reconciled and dwell together.

R. S., ch. 30,  
sec. 17.

**RELINQUISHMENT OF DOWER.**—A married woman may relinquish her right of dower by joining with her husband in a deed, mortgage, conveyance, power of attorney, release or other writing relating to the sale, conveyance or other disposition of his lands.

#### DRINKING CUP.

R. S., ch. 38,  
sec. 483.

Prohibits the use of a common drinking cup in any public or private school, state institution, halls used for public meetings or entertainments, hotels, lodging houses, theaters, factories, or public or municipal buildings. The penalty is from \$5 to \$50 fine.

#### EMPLOYMENT.

R. S., ch. 48,  
sec. 3.

**SEX NO BAR TO OCCUPATION, PROFESSION, ETC.**—No person shall be precluded or debarred from any occupation, profession or employment (except military) on account of sex. But the act shall not be construed to affect the eligibility of any person to any elective office. (It is by virtue of this section that women are permitted to practice law.)

Sec. 4.

**FEMALES NOT TO WORK ON STREETS.**—This act shall not be construed as requiring any female to work on the streets or roads or serve on juries.

Sec. 97.

**SEATS FOR FEMALE EMPLOYEES.**—Every person employing females in any factory, mercantile establishment, mill, or workshop shall provide a reasonable number of suitable seats for their use and shall permit their use when the employees are not necessarily engaged in their active duties and shall permit

such use at all times when it would not actually and necessarily interfere with the proper discharge of the duties of such employees and where practicable such seats shall be made permanent fixtures.

**WASHING FACILITIES—DRESSING ROOMS.—** Sec. 109.  
In all factories, mercantile establishments, mills and workshops washing facilities shall be provided for the employees where necessary. Where the labor performed is of such a character as to make customary or necessary the change of clothing by the employees, there shall be provided sanitary and suitable dressing rooms. Such washing facilities and dressing rooms shall be maintained separately for each sex.

**WOMEN'S TEN-HOUR LAW.—** No female Sec. 121.  
shall be employed in any mechanical or mercantile establishment, or laundry, factory, hotel, restaurant, telegraph or telephone establishment or office thereof, place of amusement, or by anyone engaged in any express or transportation or public utility business, by any common carrier, or in any public institution more than ten hours in any one day.

Anyone violating this law is guilty of a misdemeanor, and may be fined from \$25 to \$100. Sec. 122.

The State Department of Factory Inspection will enforce the law. Sec. 123.

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It has been decided that an eight hour law for women is valid and that it does not violate the 14th Amendment to the Federal Constitution wherein it is provided that no state shall deprive any person of life, liberty or property without due process of law.

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The enactment of the eight hour law as to women may be good as a valid exercise of police power but may be bad as to men. That

In so far as the difference between men and women may be such that such an enactment as to women, being a valid exercise of police power, would not collide with the 14th Amendment providing that no state shall deprive any person of life, liberty or property without due process of law; but that the same provision as to men, not being regarded as a proper exercise of police power, would violate this provision of the 14th Amendment.

#### EMPLOYMENT AGENCIES.

Prop. I. 1941.  
B. 448, sec. 1.

**Public Employment Offices.** -The Department of Labor may establish and maintain free employment offices to receive applications both of persons seeking employment and of persons seeking to employ labor, as follows: One in each city of not less than 25,000 population; one in two or more contiguous cities having an aggregate population of not less than 25,000; and in each city of a population of 1,000,000 or over, one central office with such departments as would be practical to handle the various classes of labor not to exceed four at one time. The offices shall be designated as Illinois Free Employment Offices.

R. S. ch. 46.  
sec. 3.

Upon the outside of each office, in position and manner to secure the fullest public attention shall be placed a sign which shall read in the English language "Illinois Free Employment Office," and the same shall appear either upon the outside windows or upon signs in such other languages as the location of the office shall render advisable. The names of persons applying for employment or help shall be registered showing the character of employment or help desired on blanks furnished by the Bureau of Labor Statistics, together

with such other facts as may be required by the bureau.

The superintendent of a free employment office shall put himself in communication with the principal manufacturers, merchants and other employers of labor and use all diligence in securing their co-operation with the purposes and objects of the employment office. He may advertise in the newspapers and in other ways for such situations as he has applicants to fill and he may advertise for the co-operation of large contractors and employers in trade journals. Sec. 5.

No fee or compensation shall be charged or received directly or indirectly from persons applying for employment or help. Anyone accepting a fee or compensation from any applicant is guilty of a misdemeanor and may be fined from \$25 to \$50 and imprisoned in the county jail for not more than thirty days. Sec. 7.

PRIVATE EMPLOYMENT AGENCIES.—No person shall open or carry on any employment agency without having procured a license. Persons so doing shall be guilty of a misdemeanor. Penalty—fine of \$50 to \$250, or, on failure to pay the fine, imprisonment for not more than six months, or both, at the discretion of the court. Sec. 67 (a).

Every license shall contain the name and street address of the person licensed and date of issue. No said agency shall be located or maintained where transacting business are sold except necessaries in those buildings. Licenses shall run for one year unless sooner revoked. Applications for license shall be accompanied by two affidavits showing good moral character.

Penalty.—Persons procuring licenses must be of good moral character. Any person aggrieved by the mis-

conduct of any such licensed person may maintain action upon the bond of the employment agency in any court having jurisdiction of the amount claimed.

**Sec. 67 (c).**

**REGISTER.**—Every such licensed person shall keep a register in which shall be entered the dates of accepted applications for employment, name and address of the applicant to whom employment is offered or promised, and also of the person to whom applicant is sent for employment, and amount of the fee received. Information as to applications for help shall be entered in a different book.

**Sec. 67 (d).**

**FEES.**—A registration fee, not to exceed \$2, may be charged, for which a receipt must be given showing name of applicant, date of payment and character of position or help applied for. Such fee shall be returned to any applicant after thirty and within sixty days from date of receipt, less the amount actually expended by the agency, for which an itemized account must be presented to the applicant upon request, if no position has been furnished to the applicant. A further fee, which may be agreed upon between the applicant and the agency, payable at a time agreed upon in writing, may be received by the agency before a position has been tendered to the applicant, but if the position so tendered is not accepted by or given such applicant, such fee, upon request, shall be refunded within three days after demand. Receipt must be given for this additional fee. If an employee is discharged within one week without his fault, another position shall be furnished or three-fifths of the fees paid by him returned. Any agency sending persons as contract laborers out of the city shall give such persons cards on which is written in a language with which such laborers are familiar, the following: name and address

of the employer, nature of the work to be performed, wages offered, destination of the person employed, terms of transportation and probable duration of employment.

**CHARACTER OF EMPLOYMENT—PLACES OF** Sec. 67 (f).  
**ILL FAME.**—No agency shall send any female help or servants or inmate or performer to any questionable place or place of bad repute, house of ill fame, or to any place of amusement kept for immoral purposes, the character of which such licensed person knows, either actually or by reputation.

**EMPLOYMENT FOR CHILDREN.**—No licensed person shall accept any application made by or on behalf of any child or shall place any child in violation of the child labor law. Penalty for above—fine of from \$50 to \$200, or imprisonment for not more than one year, or both, and the revocation of the license.

**ENFORCEMENT.**—This act shall be enforced Sec. 67 (h). by the State Board of Commissioners of Labor and the Chief Inspector of Private Employment Agencies. (Inspectors' offices abolished)

#### EPILEPTICS—STATE COLONY

**SEGREGATION AND CLASSIFICATION.**—The R. S. ch. 24,  
object of said colony shall be to secure for sec. 103.  
*bona fide* resident epileptics of Illinois a place  
of employment, instruction, treatment and  
custody. The colony shall be so planned, ar-  
ranged and constructed that there shall be  
adequate segregation of the sexes, separation  
of children from adults and proper classifica-  
tion of the inmates.

#### EXECUTOR.

**MINOR MAY BE EXECUTOR.**—A person of R. S. ch. 24,  
the age of 17 years, of sound mind and mem- sec. 103.

ory, may be appointed executor. But such person cannot serve in such capacity during his minority.

#### EXEMPTIONS.

R. S., ch. 52,  
sec. 13.

**PERSONAL PROPERTY EXEMPT.**—The following personal property of any debtor is exempt from execution, writ of attachment and distress for rent: (1) Necessary wearing apparel, bible, school books and family pictures of every person. (2) \$100.00 worth of property to be selected by the debtor and in addition, if he is the head of a family and resides with the same, \$300.00 worth of other property to be so selected.

Sec. 14.

**DEBTOR TO MAKE SCHEDULE.**—Whenever a debtor in a proper case desires to avail himself of the benefit of this act he shall, within ten days after a copy of the execution, attachment or distress warrant is served upon him, make a schedule of all his personal property of every kind and character and file the same in the court where the writ issued.

Sec. 15.

**DEATH OF HEAD OF FAMILY.**—When the head of a family shall die, desert or not reside with the same, the family is entitled to the benefit of this exemption.

Sec. 16.

**PROPERTY NOT EXEMPTED FOR WAGES.**—No personal property shall be exempted from levy of attachment or execution when the judgment is for the wages of any laborer.

#### EXPLOSIVES.

Counc. Proc.  
1912-13,  
p. 1589,  
sec. 214.

**EXPLOSIVES—SALE TO MINORS FORBIDDEN.**—It is unlawful to sell any kind of dangerous explosives to minors under 18 years of age. Penalty—fine of from \$60 to \$200.

#### EXTRADITION.

R. S., ch. 60,  
sec. 8.

**FUGITIVES FROM THIS STATE—WARRANT.**—Whenever the executive of this state shall

demand a fugitive from justice from any other state he shall issue his warrant to some messenger, commanding him to receive the fugitive and convey him to the sheriff of the county where the offense was committed.

MANNER OF APPLYING FOR REQUISITION.— Sess. L. 1921,  
p. 469.

Application for requisition for the return of a fugitive from justice shall be by petition in which shall be stated the name of the fugitive, the crime charged, and county in which the crime is alleged to have been committed, the time when the fugitive fled, the state to which he has fled, giving facts and circumstances tending to show the whereabouts of the fugitive at the time of the application. Petition must be verified by affidavit and have attached the certificate of the judge of the county court where the crime is alleged to have been committed and that the ends of justice require the return of such fugitive. If the crime charged is neglect or refusal to provide for the support of a destitute wife or child, it shall be the duty of the States Attorney to present such petition to the judge of the County Court who shall hear the same in a summary manner *ex parte* and if, after hearing the testimony of the complaining witness and other credible witnesses the judge is of the opinion that justice requires the return of the fugitive he shall make such endorsement upon the petition.

EXPENSES OF REQUISITION.—When the R. S., ch. 60,  
sec. 11. punishment of a crime shall be confinement in the penitentiary the expense shall be paid out of the state treasury on the certificate of the governor and the warrant of the auditor; in all other cases it shall be paid out of the county treasury of the county where the crime is alleged to have been committed. The expenses shall be the fees paid to the officers of

the state on whose governor the requisition is made and not exceeding twelve cents per mile for all necessary traveling in returning such fugitive. Such accounts must be verified by affidavit and certified to by the judge of the county court before they shall be certified by the governor or paid by the county.

3 Fed. St.  
Ann. 78,  
sec. 5278.

**FUGITIVES FROM JUSTICE.**—Whenever a state demands any person as a fugitive from justice, from another state to which such person has fled, and produces an indictment found or proper affidavit charging the person demanded with having committed a crime, properly authenticated by the governor, it shall be the duty of the executive of the state to which the person has fled to cause his arrest and to send notice of such arrest to the state making the demand and to cause the fugitive to be delivered over to such state.

#### FARM FOR BOYS.

R. S.,  
ch. 127 (a  $\frac{1}{2}$ ),  
sec. 1.

Authorizes an institution for the correction of male offenders above sixteen years of age for offenses punishable by confinement in the county jail or workhouse or house of correction to be known as Illinois State Farm.

Sec. 2.

**WHAT OFFENDERS MAY BE COMMITTED.**—Such farm shall receive and provide proper work and care for all such male offenders above sixteen years of age other than those sentenced for violation of municipal ordinances whose sentences shall consist of confinement in the county jail, workhouse or house of correction for sixty days or more, as may be committed to such farm.

Sec. 3.

**MANAGEMENT.**—The farm shall be managed and controlled by the Department of Public Welfare.

Sec. 8

**PURPOSE OF FARM.**—It is the purpose of such farm to employ all offenders committed

thereto in work on or about the buildings or farm in growing produce and supplies for its own use and for the other institutions of the state, in preparation of road material and in making brick, tile, paving material and such other products as may be found practicable for the use of the state or any municipal subdivision thereof and for the proper and healthful employment of such prisoners.

#### FEEBLE-MINDED—CARE AND DETENTION.

The words "feeble-minded person" shall be construed to mean any person afflicted with mental defectiveness from birth, or from any early age, so pronounced that he is incapable of handling himself or his affairs, or taught to do so, and requires supervision, care and control for his own welfare or that of others, or that of the community, who is not classifiable as an insane person within the meaning of the Lunatic Act.

When a person is supposed to be feeble-minded and it is unsafe and dangerous for the welfare of the community for him to be at large without supervision, any relative, guardian or conservator, or any reputable citizen of the state may by leave of court file in the circuit or county court, a city court, including the municipal court of Chicago, a petition in writing setting forth that the person is feeble-minded, the fact and circumstances of the social conditions, such as want of proper supervision, control, care and support, or other causes, making it unsafe or dangerous to the welfare of the community for the person to be at large without supervision; name and residence, or that they are unknown, of some person actually supervising, caring for or supporting such person, and of at least one person

R. S., ch. 23,  
sec. 1.

Sess. L. 1919,  
p. 241, sec. 3.

legally chargeable with such supervision and the names and residences of the parents or guardians.

Petition shall allege whether or not person has been examined by a qualified physician. There shall be endorsed on the petition the names and addresses of witnesses. All persons named in the petition shall be notified by summons as in chancery cases. Persons unknown to the petitioner may be made defendants by the designation "all whom it may concern."

R. S., ch. 23,  
sec. 4.

The summons shall require the defendants to appear personally in court and bring the alleged feeble-minded person. No written answers shall be required. The summons shall be returnable at any time within twenty days after date. (Then follows provision for advertising where any defendant resides out of the state or cannot be found.)

Sec. 5.

Upon the filing of the petition, if it appears to the court that the feeble-minded person should be taken into custody at once, or that the service of summons will be ineffectual to secure his presence in court, a warrant may issue and pending the hearing the feeble-minded person may be detained in some suitable place, but not in a place provided for criminals or those guilty of quasi-criminal offenses.

Sec. 6.

The court may postpone the hearing from time to time and order the feeble-minded person to submit to an examination by some qualified physician or psychologist and may require the petitioner to answer interrogatories under oath.

Sec. 7.

The hearing shall be by the court and a commission of two qualified physicians, or one qualified physician and one qualified psychologist, residents of the county, to be selected

by the judge on account of their known competency and integrity. The commission shall make a personal examination touching the mental condition of the alleged feeble-minded person. The commission shall report in writing the result of the examination, conclusions and recommendations and sworn answers to interrogatories propounded in the form prescribed by the board of administration.

The report shall have the same effect as Sec. 8. the report of a master in chancery. The court shall have power to dismiss the proceedings, order a new hearing by the same or new commission, or make different findings.

If the court finds the person not feeble-minded, the petition shall be dismissed. If Sec. 9. the person is found to be feeble-minded, the guiding and controlling thought of the court throughout the proceeding will be the welfare of the person and of the community. The decree shall appoint a suitable person as guardian or send the feeble-minded person to a private institution qualified and licensed under the laws of the state, or to a public institution for the feeble-minded.

The guardian may be removed on the application of the feeble-minded person, or a relative or a reputable citizen or the Board of Administration. Upon such removal or the death or resignation of the guardian the court may appoint some one to act in his stead. The court when it sees fit may discharge the feeble-minded person from guardianship, or send him to a private institution, or to a public institution. No order shall be changed without giving one or more relatives or friends of the feeble-minded person opportunity to be heard.

No feeble-minded female shall be conveyed Sec. 13. to an institution by any male person not her husband, father, brother or son without the

attendance of some woman of good character and mature age chosen for the purpose by the judge.

Sec. 14.

Discharges may be had for the following causes: because the person is not feeble-minded; has so improved as to be capable of caring for himself; because relatives are able and willing to supervise and care for him; this enumeration shall not exclude other grounds for discharge or variation. The denial of petition for discharge or variation shall be no bar to another on the same or different grounds within a reasonable time thereafter, but frequent, repeated, frivolous or ill-founded petitions for discharge shall be discouraged.

Sec. 15.

Every person admitted to an institution for the feeble-minded shall have reasonable opportunity and facility for writing letters if they contain nothing of an immoral or personally offensive character; and letters written to any member of the Board of Administration, or of the State Charities Commission, or to any state or county officer shall be forwarded unopened.

Sec. 17.

Any person who knowingly contrives to have any person adjudged feeble-minded unlawfully, or anyone violating this act is guilty of a disdemeanor. Punishment—fine up to \$1,000, imprisonment for one year or both.

Sec. 18.

The costs of the proceeding herein shall be defrayed by the county treasurer. However, if the person be found not feeble-minded, the court may require petitioner to pay the costs by judgment. A commissioner shall be paid \$5 a day and the necessary traveling expenses.

Sec. 19.

Where a feeble-minded person is placed under guardianship or sent to a private or public institution, the court may make an order requiring the feeble-minded or any per-

son liable or undertaking to maintain him, to contribute toward the expenses of the guardianship or his maintenance in the institution; also in case of death, pay his funeral expenses. Such order is enforceable against the property of the person charged.

If it appears from the testimony of a physician or psychologist, or from other evidence that a dependent or delinquent child in the juvenile court is feeble-minded, some officer or reputable citizen may be directed by the court to file a petition under this act; also may order the detention of any child pending the hearing on such petition. Sec. 20.

On conviction of crime or for violation of a city ordinance, or where a child is before the juvenile court, if the court is satisfied on the testimony of a physician or a psychologist or other evidence that the person or child is feeble-minded, it may suspend sentence or the order, and direct that a petition be filed under this act. Sec. 21.

This section provides for the transfer of feeble-minded persons to any institution for lunatics where the condition makes it necessary. Sec. 22.

No person shall be discharged from a public institution for the feeble-minded without suitable clothing and a sum of money not exceeding \$20.00, sufficient to defray his expenses home. Sec. 23.

The Board of Administration shall keep a record of all persons adjudged feeble-minded and copies of all orders. Sec. 26.

#### FIREWORKS.

FIRING TOY PISTOLS, ETC.—It is not permitted to set off or have in possession toy pistols, toy guns, toy cannons, blank cartridges Counc. Proc. 1911-12, p. 1061.

or any fireworks except public displays which the ordinances strictly regulate.

### FLIPPING CARS.

C. C.,  
sec. 1999.

**FLIPPING CARS.**—No minor under 18 years of age shall climb upon or cling to any street car or railroad car of any kind while the same is in motion, under a penalty of from \$2 to \$10.

### FORTUNE TELLING.

R. S., ch. 38,  
sec. 590.

**FORTUNE TELLING PROHIBITED.**—Whoever shall obtain money or property from another by holding himself out as skilled in fortune telling by means of card reading, palmistry, etc., or any crafty science or by any other devices or practices whereby money is obtained from the general public on the pretense of the exercise of occult or psychic powers shall be fined not more than \$500 for each offense.

Sec. 591.

**PENALTY FOR ADVERTISING FORTUNE TELLING.**—Whoever knowingly prints, publishes, etc., in any newspaper, magazine or other publication, or by display signs, hand bills or any other means any advertisement of any person's ability, skill or power in telling fortunes or revealing the future or offering advice of any kind or nature by means of occult or psychic powers shall be fined not exceeding \$200 for each offense.

### GAMING.

R. S., ch. 38,  
sec. 126.

**GAMING.**—Whoever shall play for money or other valuable thing, at any game with cards, dice, checks, or at billiards, or with any other article, instrument, or thing whatsoever, which may be used for the purpose of betting upon, or shall bet on any game others may be playing, shall be fined not exceeding \$100, and not less than \$10.

**GAMBLING PROHIBITED.**—No person shall engage in gambling for money or other valuable thing either as keeper, dealer or player, etc., under a penalty of not to exceed \$200. C. C.  
sec. 978.

**GAMING HOUSE.**—It is unlawful for anyone to keep a gaming house or to procure or to permit persons to play for money in a building, etc., occupied by him, or to keep apparatus for gambling purposes, or to rent premises for gambling purposes. Penalty—first offense, fine of not less than \$100; second offense, fine of not less than \$500 and confinement in county jail for not less than six months; third offense, fine of not less than \$500 and imprisonment in penitentiary for not less than two years nor more than five years. R. S., ch. 38.  
sec. 127.

**GAMING IN TAVERN.**—It shall be unlawful for a tavern keeper or victualer to carry on or allow to be carried on gambling of any kind, for the purpose of amusement or otherwise, upon premises occupied by him. Sec. 128.

**GAMBLING PLACES.**—Every house or place kept for gambling purposes is hereby declared to be a common nuisance. Every person conducting such a place shall be fined not less than \$25 nor more than \$200 for each offense. C. C.  
sec. 977.

**DUTY OF POLICE.**—The police shall give information to the mayor of all gambling found and shall suppress gambling so far as possible. Sec. 979.

**ILL-GOVERNED PLACES.**—Every common or ill-governed house kept by any person licensed under this article where any game of chance is permitted is hereby declared a public nuisance. Penalty—\$5 to \$100 fine. Sec. 1535.

**REVOCATION.**—The mayor may revoke any license granted under this article whenever it Sec. 1536.

shall appear to his satisfaction that the licensee has violated the ordinance or any condition of his bond. (Mayor is empowered to rescind revocations. Ordinance Dec. 11, 1911.)

C. C.,  
sec. 1997.

**GAMBLING IN SALOONS.**—Minors that gamble in saloons shall be fined not more than \$100 for each offense.

R. S., ch. 38,  
sec. 137 (f).

**PROHIBITS USE OF SLOT MACHINES, ETC.**—Whoever in any room, saloon, building, etc., operates, keeps, owns, rents, or uses any slot machine, clock, etc., upon which money is staked or hazarded, or into which money is paid or played upon chance, or upon the results of the action of which money or other valuable thing is staked, bet, etc., shall be fined not less than \$100 for a first offense, and for second offense not less than \$500 and confined in county jail for not less than six months, and for third offense shall be fined not less than \$500 and imprisoned in penitentiary not less than two nor more than four years.

Sec. 137 (g).

**DECLARED A GAMBLING DEVICE—CONFISCATION.**—Every such slot machine, clock, etc., is hereby declared a gambling device and shall be subject to seizure, confiscation and destruction, by any municipal authority.

Sec. 137 (h).

**PENALTY FOR HAVING IN POSSESSION.**—Every owner, occupant, lessee or other person in possession of premises where gambling devices are located, is subject to criminal process.

C. C.,  
sec. 984.

**SLOT MACHINES PROHIBITED.**—No person shall keep, own or operate upon any premises or any part thereof any clock, "joker," tape or slot machine or other device of any kind whatsoever upon, in or by or through which money is staked or hazarded. Penalty for violation of this act—fine of not less than \$25 nor more than \$200. Every day on which any

such machine may be operated constitutes a separate and distinct offense.

**LOTTERY AND POLICY SHOPS PROHIBITED.**— Sec. 985.  
This section forbids any kind of lottery or policy drawing in which there is an element of chance.

#### GUARDIAN AND WARD.

**GUARDIAN AND WARD—WHO MINORS.**— R. S., ch. 64,  
sec. 1.  
Males of the age of 21 and females of the age of 18 years shall be considered of full age for all purposes.

**NOMINATION.**—If a minor is under the age Sec. 3.  
of 14 years the county court may nominate and appoint his guardian. If he is above that age he may nominate his own guardian.

**CUSTODY.**—The guardian of a minor shall Sec. 4.  
have, under the direction of the court, the custody, nurture and tuition of his ward and the care and management of his estate; but the parents, or surviving parent, of the minor, if fit persons, and competent to transact their own business, shall be entitled to the custody of the person of the minor and the direction of his education. If father and mother live apart the court may award the custody and education to either parent or some other person.

**TESTAMENTARY GUARDIAN.**—The father, Sec. 5.  
being of sound mind and memory, of a child to be born, or of any living child, may, by his last will, dispose of the custody and tuition of such child during its minority or for a less time. *Provided*, that the mother may not be deprived of her right to the custody of such child. The mother, if sole, or surviving the father, may in like manner dispose of the custody of the child.

- Sec. 6.**      **ESTATE.**—The guardianship of the infant's estate may be appointed to one and the custody of the minor to another.
- Sec. 20.**     **EDUCATION OF WARD.**—The guardian shall educate his ward.
- Sec. 21.**     **WARD PUT OUT AND EDUCATED.**—Where the guardian does not see to it that the ward is taught to read and write, and the elementary rules of arithmetic, the court may put the ward out to some other person for the purpose of having him so educated.
- Sec. 41.**     **MARRIAGE OF FEMALE WARD.**—The marriage of a female ward shall discharge the guardian from all right to her custody and education, but not to her property.
- R. S., ch. 3,  
secs. 44-50.**    **PUBLIC ADMINISTRATOR.**—Sections provide for the appointment of a public administrator for each county. Whenever any person dies, possessed of any real estate within this state or, having any interest therein, has no relative or creditor within this state who will administer upon such estate, then it shall be the duty of a public administrator upon appointment by the county court to administer such estate.

#### HABEAS CORPUS.

- R. S., ch. 65,  
sec. 1.**      **WHO MAY PROSECUTE.**—Every person imprisoned or otherwise restrained of his liberty, except as is otherwise provided by law, may prosecute a writ of *habeas corpus* to obtain relief from such imprisonment or restraint if it prove to be unlawful.

#### HEALTH.

- C. C.,  
sec. 1160.**     **DEPARTMENT OF HEALTH—SUPERVISION OF  
HEALTH COMMISSIONER.**—Commissioner shall have and exercise a general supervision over the sanitary conditions of the city.

DUTIES OF HEALTH COMMISSIONER.—It Sec. 1162.  
shall be the duty of the said commissioner to  
enforce all the laws of the state and ordinances  
of the city and all rules and regulations of the  
department of health in relation to the sani-  
tary condition of the city and cause all nui-  
sances to be abated with all reasonable prompt-  
ness .

IMPROPER USE OF BUILDINGS FORBIDDEN.— Sec. 1406.  
No person shall cause or allow any matter or  
thing to be or be done in or about any build-  
ing dangerous or prejudicial to health. The  
commissioner of health may inspect any build-  
ing at any time.

LEASING UNSANITARY BUILDING.—No per- Sec. 1407.  
son in possession or control of any building  
shall lease any portion thereof or allow the  
same to be occupied as a dwelling or lodging  
house unless such premises are in a clean and  
wholesome condition as provided in this  
article.

BUILDINGS — NUISANCE.— Every building Sec. 719.  
constructed or maintained in violation of the  
building code, or which is in an unsanitary,  
unsafe or dangerous condition, or any part of  
which is unfit for human habitation because  
of disease, or is a source of sickness or end-  
angers the public health, is a public nui-  
sance.

Any one violating this provision is liable to Sec. 720.  
a fine of from \$25 to \$200.

ANTITOXIN—FREE TREATMENT.—The com- Sec. 1199.  
missioner of health shall at all times keep  
antitoxin for the treatment of any dependent  
or deserving person who may apply for that  
purpose, and he shall without charge treat  
with antitoxin all such persons applying who  
in his opinion require such treatment.

SMALL POX.—Every parent or person hav- Sec. 1203.  
ing the custody of a minor, to the extent that

he has the authority, shall cause the minor to be so promptly and frequently and effectively vaccinated that he shall not take or be liable to take small pox.

Sec. 1417.

ROOFS—DRAINAGE.—Roofs must not leak. Rainwater must not drip on the ground so as to cause dampness in the walls or yard.

Sec. 1408.

UNSANITARY BUILDING—NUISANCE.—Any premises which by reason of unsanitary condition or infection with disease are unfit for human habitation or which are a source of sickness or which endanger the public health are hereby declared to constitute a public nuisance.

Sec. 1411.

CLEANLINESS.—Every owner, lessee, tenant or manager of any tenement house, lodging house, boarding house or manufactory shall cause every part thereof to be put and to be kept in a clean and wholesome condition, and shall speedily cause every apartment in which any person shall sleep, dwell or work to be adequately lighted and ventilated.

Sec. 1412.

CELLAR OR UNVENTILATED PLACE.—No person having the right and power to prevent the same shall knowingly cause or permit any person to sleep or remain in any cellar or in any place dangerous or prejudicial to health, because of want of ventilation or drainage or because of the presence of any poisonous, noxious or offensive substance or otherwise.

R. S., ch. 34,  
sec. 116.

BOARDS OF HEALTH IN COUNTIES.—Provides for boards of health in counties, which boards shall make and enforce proper rules and regulations whenever there is a breaking out of any dangerously communicable diseases; they shall also have the power of quarantine. Such boards shall have power to do all acts and make all regulations which may be necessary or expedient for the promotion of

health or the suppression of disease; also to provide gratuitous vaccination and disinfection.

### HOME FOR JUVENILE FEMALE OFFENDERS.

**ESTABLISHMENT OF HOME.**—Authorizes the establishment and maintenance of a "State Home for Juvenile Offenders," the object of which shall be to provide for the maintenance, discipline and reformation of such girls as may be committed thereto as hereinafter provided.

R. S., ch. 23,  
sec. 218.

N. B.—This home is at Geneva, Illinois.

**PLACE OF COMMITMENT.**—Any girl between the ages of 10 and 18 years may be sentenced and committed under the Sentence and Commitment Act to the "State Training School for Girls" for any and all crimes instead of the penitentiary, county jail, or house of correction in the discretion of the court, subject to the terms of said Act.

Sec. 231.

**PETITION—COMMITMENT.**—Provides for the trial in a court of record, by a jury of six persons, of any girl where a petition has been filed setting forth the offense charged against her or that she is a vagrant or without a proper home or means of subsistence or lives with or frequents the company of reputed thieves or other vicious persons, or is or has been in a house of ill fame, prison or workhouse, or setting forth any other facts of a similar nature. For purposes of convenience the state reformatory, in all legal proceedings and papers of any kind, may be designated "State Training School for Girls."

Sec. 232.

**NO IMBECILE ADMITTED.**—No imbecile or idiotic girl shall be committed to the home.

Sec. 235.

**Sec. 236.**      **DISCHARGE BY GOVERNOR OR TRUSTEES.—**  
Any girl may be discharged at any time by the governor or trustees when in their judgment the good of the girl, or the good of the home, will be promoted by such discharge.

**Sec. 237.**      **GOOD BEHAVIOR TO BE CREDITED.—**  
Any girl committed to the home, by good behavior shall earn and be credited with time as follows: each month in the first year, five days; each month in the second year, six days; each month in the third year, seven days; each month in the fourth year, eight days; each month thereafter, nine days. For misconduct or violation of the rules of the home a girl shall be liable to forfeit five days of the good time placed to her credit. Every girl shall be released from the home as many days before the expiration of her sentence as she shall have balance of good days to her credit.

**Sec. 240.**      **PERSONS PROVIDED TO SUPERVISE GIRLS.—**  
The trustees may appoint one or more suitable persons to serve without compensation in each county, to have a supervising care over all girls of their respective counties coming within the provisions of this act, and to aid in providing suitable homes for girls committed to said home.

**Sec. 241.**      **CONTROL OF PERSONS.—**  
Trustees shall have the exclusive custody, care and guardianship of girls committed to said home. They shall provide for their support and comfort, instruct them in such branches of useful knowledge as may be suited to their years and capacity and shall cause them to be taught in domestic vocations. And to aid in such education and training and to assist in their own support they shall be required to pursue tasks suitable to their years. Avoiding sectarianism, suitable provision shall be made for their moral and religious instruction.

GIRLS CAN BE PLACED IN HOME OF CITI- Sec. 242.

ZEN.—Any girl committed under the provisions of this act may be placed in the home of any good citizen upon such terms and for such purpose as may be agreed upon, or she may be given to any suitable person of good character who will adopt her, or she may be bound to any reputable person as an apprentice or as a servant, where such binding will be to her advantage. It shall be the duty of the trustees to see that the girl is properly treated and cared for; should the girl be cruelly treated or neglected, or should the terms upon which she was committed to the care of any person not be observed, or should such care and protection for any reason cease, then it shall be the duty of the trustees to receive such girl again into the custody, care and protection of said home.

DISCHARGE—CLOTHES AND MONEY FURNISHED.—Upon the discharge of any girl from the home, the superintendent shall provide her with suitable clothes and \$5 in money and procure transportation for her to her home. Sec. 243.

FEDERAL COURT.—Any girl under 18 years Sec. 243(a). of age who is a resident of this state and is under sentence of imprisonment for an offense against the United States in any Federal court in this state may be committed to and confined to the State Training School for Girls until the sentence is executed or until she is discharged by the United States; but no person who would be more than 21 years of age upon the completion of the sentence of imprisonment shall be committed to this school. The expense of supporting and caring for such person so committed shall be borne by the United States. Any person so committed shall be cared for, educated and disciplined in the same manner as are the other

inmates of the school. (Sections 21-22-27-28 of this act shall not apply to such person.)

## HOMES.

Counc. Proc.  
1916-17,  
p. 3762.  
(Substituting  
following sec-  
tions for those  
in C. C.)  
Sec. 1227.

Sec. 1228.

Sec. 1229.

Sec. 1230.

Sec. 1231.

Sec. 1232.

Sec. 1234.

Sec. 1235.

Sec. 1235 (a).

A home is any institution, place or family used for the care for a longer period than 24 hours of three or more children apart from their parents. (It is also defined to cover homes for the aged, women, etc.)

This provides for licenses.

This sets out the information to be contained in the application for license and the nature of the inquiry to be made by the Commissioner of Health.

The license fee shall be \$1 per year to expire December 31 of each year.

This section sets out the regulations as to accommodations and sanitation.

Certain frontage consents are requisite to the issuing of a license.

The home must keep complete records; they must show the name and address of the persons from whom the children are received and the name, address, nationality, religion and occupation of the parents and the reason for children being brought to the home. The records shall also show the name and address of any person or institution to whom any child is delivered and whether such person was a parent or guardian of the child. These records shall be open to the Commissioner of Health.

The homes shall report daily by telephone and mail to the Commissioner of Health all contagious and communicable diseases. Complete monthly reports shall be made to the Commissioner on the 5th of each month on blanks to be provided by him.

It shall be reported to the Commissioner of Health within 24 hours if there is any dis-

position of any child other than by death or placement in the custody of a parent or guardian. These reports shall be made on blanks provided for the purpose.

The Commissioner of Health may revoke Sec. 1235 (b). the license if the home is conducted in violation of the ordinance or of law.

Anyone conducting a home as defined by Sec. 1235 (c). the ordinance, without a license is subject to a fine of from \$10 to \$200 for each offense. Each separate day of conducting such a home constitutes an offense. If the home is operated in violation of the ordinance the Commissioner of Health shall close the place until there is compliance with the ordinance.

#### HOMESTEAD.

Every householder having a family is entitled to an estate of homestead to the extent of \$1000 in the land and buildings thereon owned or rightly possessed, by lease or otherwise, and occupied by him or her as a residence; such homestead shall be exempt from attachment, judgment, levy, execution, sale for debts and from the laws of conveyance, descent and devise.

R. S., ch. 52,  
sec. 1.

CONTINUANCE AFTER DEATH.—Such exemption shall continue after the death of the householder for the benefit of a husband or wife surviving, as long as he or she occupies the homestead, and of the children until the youngest becomes 21 years of age. If the husband or wife desert the family the exemption shall continue in favor of the one occupying the premises.

IN CASE OF DIVORCE.—In case of divorce Sec. 5. the court granting the same may dispose of the homestead estate according to the equities of the case.

## HORSES.

Counc. Proc.  
1911, p. 997.

It is unlawful for any one conducting a livery stable or riding academy to rent any horse to any child under 16 years of age without the written consent of the parent or guardian. Penalty—fine not to exceed \$25.

Counc. Proc.  
1914, p. 885.

It is unlawful to maintain a building for the stabling of ten or more horses within two hundred feet of any school, church, hospital, public park, or public playground.

## HUMANE SOCIETIES.

C. C.,  
sec. 49.

Fines paid through the agency of humane societies shall be transferred to their credit if they are incorporated under the laws of Illinois.

Sec. 1959.

The general superintendent of police shall have power, upon the written application of any society for prevention of cruelty to animals and children, incorporated under the laws of Illinois, to appoint not to exceed 25 special policemen whose names shall be set forth in such application, who shall be recommended by the president of such society. He may remove any person so appointed without assigning any cause therefor, and he may appoint other persons upon similar application and recommendation to take the places of the persons removed.

Counc. Proc.  
1919-20,  
p. 1781,  
sec. 1960.

Special policemen are charged with the duty of enforcing the ordinances of the city as to cruelty to children, to other persons and to animals. They may be called on however for other regular duties.

C. C.,  
sec. 1961.

The above provision is on the condition that the city shall not be liable for the compensation of such special policemen, and that such compensation shall be provided by the society requesting the appointment.

## HUSBAND AND WIFE

EVIDENCE.—No husband or wife shall, by R. S., ch. 51,  
virtue of section one of this act, be rendered sec. 5.  
competent to testify for or against each other  
as to any transaction or conversation occur-  
ring during the marriage, whether called as  
witness during the existence of the marriage  
or after its dissolution, except where the wife  
would, if unmarried, be plaintiff or defendant,  
or where the cause of action grows out of a  
personal wrong or injury done by one to the  
other or grows out of the neglect of the hus-  
band to furnish the wife with a suitable sup-  
port, and except in litigation concerning the  
separate property of the wife and in divorce,  
etc.; *Provided*, that nothing in this section con-  
tained shall be construed to authorize or per-  
mit any such husband or wife to testify to any  
admissions or conversations of the other,  
whether made by him to her or by her to him  
or by either to third persons, except in suits  
between such husband and wife.

MARRIED WOMEN MAY SUE AND BE SUED. R. S., ch. 68,  
sec. 1.—A married woman may in all cases sue and  
be sued without joining her husband with her  
the same as if unmarried and an attachment  
or judgment may be enforced by or against  
her as if she were single.

HUSBAND AND WIFE SUED TOGETHER.—If Sec. 2.  
husband and wife are sued together, the wife  
may defend for her own right and if either  
neglect to defend, the other may defend for  
such one also.

WHEN HUSBAND DESERTS.—When the hus- Sec. 3.  
band has deserted the family, the wife may  
prosecute or defend in his name any action  
which he might have prosecuted or defended.  
The same applies to the husband when the  
wife has deserted.

**Sec. 4.**

**HUSBAND NOT LIABLE FOR WIFE'S TORTS.**—For all civil injuries committed by a married woman, damages may be recovered from her alone, the husband not being held responsible therefor, except where he would be jointly responsible if the marriage did not exist.

**Sec. 5.**

**NOT LIABLE FOR EACH OTHER'S DEBTS.**—Neither husband nor wife shall be held liable for the debts or liabilities of the other incurred before the marriage and generally not liable for the separate debts of each other, nor shall the wages, earnings or property of either, nor the rent or income of such property be liable for such separate debts of the other.

Sess. L. 1921,  
p. 473.

**WIFE MAY CONTRACT.**—Contracts may be made and liabilities incurred by a wife and the same enforced against her as if she were unmarried.

R. S., ch. 68,  
sec. 7.

**HER OWN EARNINGS.**—A married woman may receive, use and possess her own earnings and sue for the same in her own name, free from the interference of her husband or his creditors.

**Sec. 8.**

**NEITHER TO RECOVER FROM THE OTHER FOR SERVICES.**—Neither husband nor wife shall recover any compensation for labor performed or services rendered for the other, whether in the management of property or otherwise.

**Sec. 9.**

**WIFE MAY OWN REAL AND PERSONAL PROPERTY.**—A married woman may own in her own right, real and personal property and may manage, sell and convey the same just as the husband can property belonging to him. If husband and wife are living together, transfers of goods between them shall not be valid as against the rights of any third person, unless such transfer be in writing, acknowledged and recorded as in case of chattel mortgages.

**EITHER UNLAWFULLY HOLDING PROPERTY** Sec. 10.  
**OF THE OTHER.**—Should either husband or wife obtain and retain possession of property belonging to the other either before or after marriage, the owner may maintain an action therefor to the same extent as if unmarried.

**ABANDONMENT BY EITHER.**—In case either Sec. 11.  
husband or wife abandons the other and leaves the state and is absent therefrom for one year without providing for the support of the family or is imprisoned in the penitentiary, the court may, if satisfied of such necessity, authorize the one so abandoned to manage, control, sell and encumber the property of the other as may be necessary for the support and maintenance of the family and for the purpose of paying the debts of the other and those contracted for the support of the family.

**ATTORNEY IN FACT.**—A husband or wife Sec. 14.  
may constitute the other his or her attorney in fact to control and dispose of his or her property for their mutual benefit or otherwise and may revoke the same.

**EXPENSES OF FAMILY.**—The expenses of the Sec. 15.  
family and of the education of the children shall be chargeable upon the property of both husband and wife or either of them in favor of creditors, and both husband and wife may be sued jointly or separately.

**HOMESTEAD.**—Neither husband nor wife Sec. 16.  
can remove the other or the children from the homestead without the consent of the other, unless the owner of the property shall in good faith provide another homestead suitable to the condition in life of the family. If husband abandons wife she is entitled to the custody of the children unless the court directs otherwise.

**SEPARATE MAINTENANCE.**—Married wom- Sec. 22.  
en who without their fault live separate and

apart from their husbands may have their remedy in equity in their own names against their husbands for reasonable support and maintenance while they so live or have so lived separate and apart. In determining the amount to be allowed, the court shall have reference to the condition of the parties in life at the place of residence of the husband and the circumstances of the respective cases; the court may grant allowance to enable the wife to prosecute her suit as in cases of divorce.

#### IMMIGRATION.

3 Fed. St.  
Ann. 640,

sec. 2.

The following classes of aliens shall be excluded from admission into the United States:

All idiots, imbeciles, feeble-minded persons, epileptics, insane persons and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become public charges; professional beggars; persons afflicted with tuberculosis or other loathsome or dangerous contagious disease; persons found to be so mentally or so physically defective as to affect the ability to earn a living; those who have been convicted of or admit having committed any crime involving moral turpitude; polygamists, or those who believe in the practice; anarchists; prostitutes, or women or girls coming for the purpose of prostitution, or any other immoral purpose; persons supported in whole or in part by the proceeds of prostitution; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution; all children under 16 years of age unaccompanied by one or both of their parents at the discretion of the Secretary of Commerce and Labor, or under such regula-

tions as he may prescribe. The act shall not exclude anyone guilty of a purely political offense not involving moral turpitude.

The importation of any alien for the purpose of prostitution or for any other immoral purpose is hereby forbidden; anyone guilty of so importing or attempting to import directly or indirectly, or any one holding or attempting to hold an alien for any such purpose in pursuance of such illegal importation, or anyone who shall keep, maintain, control, support, employ, or harbor in any house for the purpose of prostitution or for any other immoral purpose in pursuance of the importation is guilty of a felony and on conviction shall be imprisoned up to ten years and pay a fine up to \$5000. Any alien who shall be found an inmate of, or connected with the management of a house of prostitution or practicing prostitution, or who shall receive benefit from the earnings of any prostitute; or who is employed in connection with any house of prostitution, or music or dance hall or place of amusement habitually frequented by prostitutes, or who in any way assists, protects or promises to protect from arrest any prostitute shall be deemed to be unlawfully within the United States and shall be deported.

Any alien convicted under these provisions at the expiration of his sentence shall be returned to the country from which he came or to the country of which he is a citizen.

Any alien in whose protection or guardianship there is a rejected alien who is helpless from sickness, mental or physical disability, or infancy, may be excluded and the owners of the vessel on which they were brought shall be required to return both such helpless alien and accompanying alien.

- Sec. 20.** Any alien entering the United States in violation of law, and such as become public charges from causes existing prior to landing shall be deported.
- Sec. 30.** All exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, etc., in any United States immigrant station shall be disposed of after public competition. No intoxicating liquors shall be sold in such station.
- Sec. 37.** Whenever an alien shall have taken up his permanent residence in this country, and filed his declaration of intention to become a citizen, and shall send for his wife or children, if any of them be found to be affected with any contagious disorder, they shall be held until it shall be determined whether the disorder will be easily curable or they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts shall be ascertained. If it is determined that the disorder is easily curable so that they may land without danger to other persons, they may be admitted.
- Sec. 40.** The Commissioner-General of Immigration is authorized to establish under the direction of the Secretary of Commerce and Labor a division of information in the Bureau of Immigration and Naturalization.
- The division shall promote beneficial distribution of aliens admitted into the United States among the several states and territories desiring immigration. It shall gather from all available sources useful information regarding the resources, products and physical characteristics of the states, and publish it in different languages and distribute the same among those aliens seeking it.

## INCEST.

**FATHER WITH DAUGHTER.**—A father who rudely and licentiously cohabits with his own daughter shall be imprisoned in the penitentiary for not less than one nor more than twenty years. Sess. L. 1919,  
sec. 156.

**OF RELATIVES.**—Persons within the degrees of consanguinity within which marriage is forbidden by law, who intermarry or who commit adultery or fornication with each other, shall be imprisoned in the penitentiary not exceeding ten years. R. S., ch. 38,  
sec. 157.

## INFORMATION AND PUBLICITY BUREAU.

Creates a bureau of information and publicity which shall embrace a commissioner of information and publicity, a chief statistician, investigators, etc. The commissioner shall cause to be collected and compiled information relating to all branches of the municipal government; also information in regard to other municipalities when it will be of assistance. Counc. Proc.  
1911-12,  
p. 2607.

## INTEREST—RATES.

If any person shall contract to receive a greater rate of interest than 7 per cent upon any contract, verbal or written, such person shall forfeit the whole of said interest so contracted to be received and shall be entitled only to recover the principal sum due to such person. R. S., ch. 74,  
sec. 6.

## JAILS.

**SEPARATION OF PRISONERS.**—Debtors and witnesses shall not be confined in the same room with persons committed for crimes; male and female offenders shall not be kept in R. S., ch. 75,  
sec. 11.

the same room; minors shall be kept separate from notorious offenders and those convicted of infamous crime; persons charged with or convicted of minor offenses shall be kept separate from those charged with or convicted of infamous crimes.

### JUNK AND SECOND-HAND STORES.

R. S., ch. 38,  
sec. 42 (h. c.).

PURCHASE FROM MINOR.—No junk dealer, pawnbroker, or any second-hand dealer shall purchase or receive anything, whether directly or indirectly, of value, nor shall he receive such thing on deposit or pledge as security for a loan from any person under legal age. The punishment is a fine not to exceed \$500 for each offense.

Counc. Proc.  
1919-20,  
p. 2024.

BUYING FROM MINORS.—Junk dealers shall not purchase any articles from minors without the written consent of the parents or guardian, under penalty of a fine from \$1 to \$50 for each offense.

NEAR SCHOOLS.—It is unlawful to establish or maintain a junk store or yard within 400 feet of a church, hospital, public or parochial school.

### JUVENILE COURT AND INSTITUTIONS.

R. S., ch. 23,  
sec. 169.

TREATMENT AND CONTROL OF DEPENDENT, NEGLECTED AND DELINQUENT CHILDREN.

DEFINITION.—That all persons under the age of 21 years shall, for the purposes of this act only, be considered wards of this state and that their persons shall be subject to the care, guardianship and control of the court, as hereinafter provided.

For the purpose of this act, the words "dependent child" and "neglected child" shall mean any male child who, while under the

age of 17 years, or any female child who, while under the age of 18 years, for any reason, is destitute, homeless or abandoned; or dependent upon the public for support; or has not proper parental care or guardianship; or habitually begs or receives alms; or is found living in any house of ill fame, or with any vicious or disreputable person; or has a home which by reason of neglect, cruelty or depravity on the part of its parents, guardian or any other person in whose care it may be, is an unfit place for such a child; and any child who, while under the age of 10 years, is found begging, peddling or selling any articles, or singing or playing any musical instrument for gain upon the street or giving any public entertainments, or who accompanies, or is used in aid of, any persons so doing.

The words "delinquent child" shall mean any male child who, while under the age of 17 years, or any female child who, while under the age of 18 years, violates any law of this state; or is incorrigible, or knowingly associates with thieves, vicious or immoral persons; or without just cause and without the consent of its parents, guardian or custodian absents itself from its home or place of abode; or is growing up in idleness or crime; or knowingly frequents a house of ill repute; or knowingly frequents any policy shop or place where any gambling device is operated; or frequents any saloon or dram shop where intoxicating liquors are sold; or patronizes or visits any public pool room or bucket shop; or wanders about the street in the night time without being on any lawful business or lawful occupation; or habitually wanders about any railroad yards or tracks, or jumps or attempts to jump onto any moving train; or enters into any car or engine without lawful authority; or uses vile,

obscene, vulgar, profane, or indecent language in any public place or about any school house; or is guilty of indecent or lascivious conduct; any child committing any of these acts herein mentioned shall be deemed a delinquent child and shall be cared for as such in the manner hereinafter provided.

A disposition of any child under this act, or any evidence given in such cause, shall not, in any civil, criminal or other cause or proceeding whatever, in any court, be lawful or proper evidence against such child for any purpose whatever, except in subsequent cases against the same child under this act. The words "child" or "children" may be held to mean one or more children, and the words "parent" or "parents" may be held to mean one or more parents when consistent with the intent of this act. The word "association" shall include any association, institution or corporation which include in their purposes the care or disposition of children coming within the meaning of this act.

**Sec. 170.**

**JURISDICTION.**—The circuit and county courts of the several counties have original jurisdiction in juvenile cases.

**Sec. 171.**

**JUVENILE COURT.**—Provides for designation of a particular judge to hear juvenile cases in a special court room, in counties having over 500,000 population.

**Sec. 172.**

**PETITION TO COURT.**—Any reputable person, being a resident of the county, may file with the clerk of the court having jurisdiction of the matter, a petition in writing setting forth that a certain child, naming it, within his county, not now or hereafter an inmate of a state institution incorporated under the laws of this state, except as provided in sections 12 and 18 hereof, is either dependent, neglected, as defined in section 1 hereof; and

that it is for the interest of the child and this state that the child be taken from its parents, custodian or guardian and placed under the guardianship of some suitable person to be appointed by the court; and that the parents, custodian or guardian of such child are unfit or improper guardians, or are unable or unwilling to care for, protect, train, educate, control or discipline such child, or that the parents, guardian or custodian consent that such child be taken from them.

The petition shall also set forth either the name, or that the name is unknown to petitioner, (a) of the person having the custody of such child; and (b) of each of the parents or the surviving parent of a legitimate child or of the mother of an illegitimate child; or (c) if it allege that both such parents are, or such mother is, dead, then of the guardian, if any, of such child; (d) if it allege that both such parents are, or that such mother is, dead, and that no guardian of such child is known to petitioner, then of a near relative, or that none such is known to petitioner. The petition shall also state the residence of such parties so far as the same are known to such petitioner. All persons as named in such petition shall be made defendants by name, and shall be notified of such proceedings by a summons, if residents of this state, in the same manner as is now, or may hereafter be, required in chancery proceedings by the laws of this state, except only as herein otherwise provided.

All persons, if any, who, or whose names are stated in the petition to be unknown to petitioner, shall be deemed and taken as defendants by the name or designation of "All whom it may concern." The petition shall be verified by affidavit, which affidavit shall be sufficient upon information and belief. Process

shall be issued against all persons made parties by the designation of "All whom it may concern," by such description, and notice by publication as is required in this act shall be sufficient to authorize the court to hear and determine the suit as though the parties had been served by their proper names.

**Sec. 173.**

**SUMMONS.**—(For form of summons and substance of this section see the statutes cited, or consult the attorney of the Juvenile Protective Association or the Chief Probation Officer of the Juvenile Court.)

**Sec. 174.**

**PROBATION OFFICERS.**—This section vests the court with authority to appoint or designate probation officers. It also specifies the duties of the probation officers, provides for their compensation, and places them under the rules and regulations of civil service governing the appointment of other officers or employees of the county.

**Sec. 175.**

**DEPENDENT AND NEGLECTED CHILDREN.**—If the court shall find any male child under the age of 17 years, or any female child under the age of 18 years, to be dependent or neglected within the meaning of this act, the court may allow such child to remain at its own home subject to the friendly visitation of a probation officer. And if the parent, parents, guardian or custodian consent thereto, or if the court shall further find that the parent, parents, guardian or custodian of such child are unfit or improper guardians, or are unable or unwilling to care for, protect, train, educate or discipline such child, and that it is for the interest of such child and of the people of this state that such child be taken from the custody of its parents, custodian or guardian, the court may make an order appointing as guardian of the person of such child some reputable citizen of good moral character, and order the guard-

ian to place such child in some suitable family home or other suitable place which such guardian may provide for such child, or the court may enter an order committing such child to some suitable state institution, organized for the care of dependent and neglected children, or to some training school, or industrial school, or to some association embracing in its objects the purpose of caring for or obtaining homes for neglected or dependent children, which association shall have been accredited as hereinafter provided.

If the parents are poor and unable properly to care for the child, but otherwise are proper guardians and it is for the welfare of the child to remain at home, the court may fix the amount necessary to enable them properly to care for the child and then the county board through the county agent shall pay the same to the parents at such times as are designated.

**GUARDIANSHIP.**—In case of commitment of child to an institution or association the court shall appoint the president, secretary, or superintendent of such institution guardian over the person of such child, whose duty it shall be to hold, care for, train and educate such child, subject to the rules and laws in force at such institution or association. Sec. 176.

**DISPOSITION OF DELINQUENT CHILDREN.**—Sec. 177. If the court shall find any male child under the age of 17 years, or any female child under the age of 18 years, to be delinquent within the meaning of this act, the court may allow such child to remain at its own home subject to the friendly visitation of a probation officer, such child to report to the probation officer as often as may be required, and if the parents, parent custodian or guardian consent thereto, or if the court shall further find either that the parent, parents, guardian or custodian

are unfit or improper guardians or are unable or unwilling to care for, protect, train, educate or discipline such child, and shall further find that it is for the interest of such child and of the people of this state that such child be taken from the custody of its parents, parent, custodian or guardian, the court may appoint some proper person or probation officer guardian over the person of such child and permit it to remain at its home, or order such guardian to cause such child to be placed in a suitable family home, or cause it to be boarded out in some suitable family home, in case provision is made by voluntary contribution or otherwise for payment of the board; or the court may commit such child to some training school for boys, if a male child, or to an industrial school for girls, if a female child, or to any institution incorporated under the laws of this state to care for delinquent children, or to any institution that has been or may be provided by the state, county, city, town or village suitable for the care of delinquent children, including St. Charles School for Boys, and State Training School for Girls, or to some association that will receive it, embracing in its objects the care of neglected, dependent or delinquent children, and which has been duly accredited as hereinafter provided. In every case where such child is committed to an institution or association, it shall appoint the president, secretary, or superintendent of such institution or association guardian over the person of such child, or shall order such guardian to place such child in such institution or with such association whereof he is such officer and to hold such child, care for, train and educate it, subject to the rules and laws that may be in force from time to time governing such institution or association.

**PROCESS AGAINST DELINQUENT CHILD.—** Sec. 177 (a).

The court may allow a delinquent child to be proceeded against in accordance with the laws of this state for the commission of crimes or violation of city ordinances. In such case the petition filed under this act shall be dismissed.

**PLACING IN PUBLIC HOSPITAL, ETC.—** The Sec. 177 (b).  
court may order a guardian to place a dependent, neglected or delinquent child, when its condition requires it, in a public or private hospital or institution.

**AUTHORITY OF GUARDIAN, INSTITUTION OR ASSOCIATION.—** A dependent, neglected or delinquent child shall be placed in an institution or association by its guardian by virtue of the order entered in such case. The guardianship under this act shall continue until the further order of court or until the child shall have reached the age of 21 years. Such child or person interested in such child may apply at any time to the court for (a) appointment of new guardian, (b) restoration of child to custody of parents, or (c) discharge of the guardian appointed.

**RETURNED TO HOME ON PROBATION.** Sec. 177 (d).  
Whenever it shall appear to the court that the home of a child placed under guardianship, or the home of his parents or guardian, is a suitable place for such child, and that such child could be permitted to remain, or ordered to be returned to said home, consistent with the public good and the good of such child, the court may enter an order to that effect, returning such child to his home under probation, parole or otherwise; *provided*, however, that no such order shall be entered without giving ten days' notice to the guardian or institution to whose care the child has been committed, unless such guardian or institution consents to such order.

**Sec. 177 (e).**

**REPORT OF GUARDIAN—CITATION INTO COURT.**—The guardian or institution having the custody of a child may be cited into court at any time for the purpose of making a full report as to his or its doings in behalf of such child. Said report shall be made within ten days. The court, with or without further evidence, may remove such guardian and appoint another in his stead, take such child away from such institution and place it in another, or restore it to its parents or former guardian.

**Sec. 178.**

**TRANSFER FROM JUSTICE OR POLICE MAGISTRATES.**—Whenever a male child under the age of 17 years, or a female child under the age of 18 years, is arrested, with or without warrant, the child may be taken directly into the juvenile court. When such child is brought before a police magistrate or into the municipal court, the judge shall transfer the case to the juvenile court and it shall be the duty of the officer having the child in charge to take such child before such court, and the said court may proceed to hear and dispose of the case as if it had been brought upon petition. In any case the court shall require notice to be given and investigation to be made and the hearing may be adjourned from time to time for that purpose.

**Sec. 179.**

**CHILDREN UNDER 12 YEARS NOT TO BE COMMITTED TO JAIL.**—No court shall commit a child under 12 years of age to a jail or police station, but such child, if unable to give bail, shall be committed to the sheriff, police officer, or probation officer, who shall keep such child in some suitable place. It shall be unlawful to confine any child in the same building with adult convicts, or in the same yard or enclosure with adult convicts, or to bring such child into any yard or building in which adult convicts shall be present.

**AGENTS OF JUVENILE REFORMATORIES.** - See 180.  
Provides for the appointment by the board of managers of any institution to which juvenile delinquents may be committed, of agents who shall look after the homes of children paroled from such institution, assist children paroled or discharged from such institution in finding employment and maintain friendly supervision over paroled inmates and report upon such work to the court.

**ADOPTION OF CHILD.** —The court may authorize the guardian appointed for a child to consent to the legal adoption of said child, provided that the court finds, (1) the parents or surviving parent of a legitimate child, or the mother of an illegitimate child, or, if no parents living, the guardian of a child, or if the child has no parents living and no guardian, then a near relative, consents to such order; or, (2) that one parent consents and the other is unfit to have the child, or that both parents are, or the surviving parent, or the mother of an illegitimate child is, unfit for any of the following reasons, (a) depravity, (b) open and notorious fornication, (c) habitual drunkenness for the space of one year prior to the filing of the petition, (d) extreme and repeated cruelty to the child, (e) abandonment of the child, or (f) desertion of the child for more than six months preceding the filing of the petition.

**FOREIGN CORPORATIONS.** No foreign corporation shall place children in homes in this state unless they guarantee the Board of Public Charities not to bring in deformed or feeble-minded children, or children with contagious or incurable diseases, or children of vicious character; and that they will remove within five years any child brought into this state, which has become a public charge. See 184.

person who shall receive to be placed or shall place in a home any child on behalf of any association incorporated in any other state than the State of Illinois, which shall not have complied with the requirements of this act, shall be imprisoned in the county jail not more than thirty days, or fined not less than \$5 or more than \$100, or both, in the discretion of the court.

Sec. 185.

**RELIGIOUS PREFERENCES.**—Children shall be placed so far as possible with individuals holding the same religious views as the parents of such children, or with associations controlled by persons of like religious faith.

Sec. 190.

**SUPPORT OF CHILD.**—If it shall appear upon the hearing of the cause that the parents, or any person named in such petition who are liable for the support of such child, are able to contribute to the support of such child, the court shall enter an order requiring such parents or persons to pay to the guardian so appointed, or to the institution to which such child may be committed, a reasonable sum for the support, maintenance, and education of such child, and the court may require reasonable security for the payment of such sums, and in case of failure so to pay, may enforce obedience to such order by a proceeding as for contempt of court. Such alterations in the allowance shall be made from time to time as appear reasonable.

Sec. 190 (a).

**ASSIGNMENT OF WAGES, ETC.**—If the person so ordered to pay for the support, maintenance or education of a child shall be employed for wages, salary or commission, the court may order that the sum to be paid by him shall be paid to the guardian or institution out of his wages, salary or commission, and that he shall execute an assignment thereof, *pro tanto*. The court may also order the par-

ent or person so ordered to pay, to make discovery to the court as to his employment and amount earned by him. Upon his failure to obey the orders he may be punished as for contempt of court.

ACT—HOW CONSTRUED.—The guardian appointed under this act has not the guardianship of the estate of the child. Sec. 190 (b).

WHO ADMITTED TO CHARITABLE INSTITUTIONS—TERMS—VOLUNTARY PAYMENTS.—All residents of the state who are inmates of any of the state charitable institutions shall receive their board, tuition and treatment free of charge. Should any inmate be unwilling to accept gratuitous board, treatment or tuition, then the superintendent of the institution is authorized to receive pay therefor and to account for the same. Sec. 44.

CLOTHING AND TRANSPORTATION FURNISHED AT EXPENSE OF COUNTY.—Necessary clothing and transportation for persons sent to the institution for the blind, for the deaf and dumb, and for feeble-minded children, shall be provided for at the expense of the county, when such persons are too poor to furnish such articles themselves, and when the judge of the county court shall make an order to that effect. Sec. 45.

CHILDREN'S HOMEFINDING SOCIETIES.—The Board of Administration shall be charged with inspecting and investigating children's home-finding societies, orphanages, etc. Sec. 5, (F) 5.

VISITATION OF CHILDREN.—The Board of Administration shall also be charged with the visitation of children placed in family homes and certification of homefinding associations and orphanages, and with the duty of examining into the merits and fitness of all associations which purpose caring for dependent, Sec. 5, (F) 11.

**neglected or delinquent children, and which seek incorporation, and of reporting its findings and recommendations relative to incorporation to the Secretary of State.**

**Sec. 11.**

**PSYCHOPATHIC INSTITUTE.**—The Board of Administration shall maintain the State Psychopathic Institute, and shall appoint a director thereof and a psychologist who shall perform their duties under the direction of the board.

#### **KIDNAPING.**

R. S., ch. 38,  
sec. 166 (a).

**CARRYING AWAY INFANT.**—Whoever wilfully and without authority forcibly takes or entices away any infant under the age of 12 years, without the consent of the parent or guardian, with intent to conceal or imprison such infant, or whoever conceals and imprisons such infant without the consent of the parents or guardian, shall be imprisoned in the penitentiary for his or her natural life or any number of years, not less than one year.

#### **LANDLORD AND TENANT.**

R. S., ch. 80,  
sec. 38.

**CONDITION IN LEASE AS TO CHILDREN UNLAWFUL.**—It is unlawful and opposed to public policy for any owner or agent of a dwelling house, flat or apartment to require as a condition precedent to leasing of the same that the person applying for such purchase have no children under the age of 14 years residing in his family and it shall be deemed unlawful and opposed to public policy to insert in any lease or agreement a condition terminating the lease if there shall be any such children in the family holding the lease; and such contract or lease containing such provision is against public policy and is void as to such provision.

**Sec. 39.**

**PENALTY.**—Any person violating this section is guilty of a misdemeanor and may be

punished by a fine of between \$50 and \$100 for each offense.

#### LEGISLATIVE REFERENCE BUREAU.

There is established a joint legislative reference bureau composed of the governor, the chairmen of the committees on appropriations and on judiciary of both houses. The governor is *ex-officio* chairman.

R. S., ch. 63,  
sec. 32.

It shall be the duty of the bureau: (a) to establish in the capitol a reference bureau to be open daily except Sundays and legal holidays, to keep laws, reports, books, documents, etc., and summaries of the laws of other states upon current legislation; (b) the bureau shall collect, classify, index and digest all bills and amendments introduced in the legislature as soon as practicable, and furnish a digest to the members on Monday of each week during the session; (c) the bureau shall afford any member of the legislature legal assistance and information in preparation of bills, etc.

Sec. 36.

#### LIBRARY.

This section establishes the Chicago public library as a free public library and reading room for the use of the inhabitants of the city.

C. C.,  
sec. 1508.

PUBLIC LIBRARY EMPLOYEES' PENSION FUND.—Upon the death of any contributor to a library employees' pension fund, who is not nor has been a beneficiary under this act, the Board of Trustees may pay an amount not exceeding one year's benefit to the widow or to the next of kin of such deceased contributor.

R. S., ch. 81,  
sec. 50.

#### LICENSES.

TO BE POSTED.—Every license granted by the mayor for the purpose of conducting any business required by this ordinance to be

Counc. Proc.  
1915, p. 380.

licensed, and having designated therein a particular place in which such business is to be conducted, shall be posted, and during the life of the license shall remain posted at all times in a conspicuous place, immediately within the principal entrance door, so that the same may be easily seen. When such license expires it shall be removed.

Penalty for violating this ordinance—\$5 to \$100 fine. (Amends C. C. 11, sec. 1524.)

C. C.  
sec. 1513.

SUBJECT TO ORDINANCES.—All licenses granted are subject to the ordinances of the city.

#### LIMITATIONS.

R. S., ch. 83,  
ec. 9.

STATUTES OF LIMITATION—INFANTS.—With reference to rights of entry or of action upon or for lands, the statute of limitation does not run against minors until after the expiration of two years after they have arrived at full age.

#### LODGING HOUSES.

R. S.  
h. 111½,  
ec. 15.

SUPERVISION.—The State Board of Health shall have supervision of all lodging and boarding houses, etc., and shall properly inspect the same to see that the provisions of this act are observed.

Sec. 16.

HOW ROOM IN LODGING HOUSE TO BE OCCUPIED.—Every room occupied for sleeping purposes shall contain 400 or more cubic feet of air space for each person sleeping therein. In case of rooms containing more than one bed, there shall be a passageway of not less than two feet horizontally on all sides of each bed. The air shall circulate freely under the beds and there shall be adequate ventilation. Penalty for violating this act—fine of not less than \$25 nor more than \$100.

## LUNATICS.

**INSANE DEFINED.**—That the word “insane” shall mean any person who, by reason of unsoundness of mind, is incapable of managing and caring for his own estate, or is dangerous to himself or others, if permitted to go at large, or is in such condition of mind or body as to be a fit subject for care and treatment in an asylum or hospital for the insane; *provided*, that no person, idiot from birth, or whose mental development was arrested by disease, or physical injury occurring prior to the age of puberty, and no person afflicted with simple epilepsy, shall be regarded as insane, unless the manifestations of abnormal excitability, violence or homicidal or suicidal impulses are such as to render his confinement a proper precaution to prevent him from injuring himself or others.

R. S., ch. 85,  
sec. 1.

**PROCEEDINGS FOR SUPPOSED INSANITY.**—When any person shall be supposed to be insane, any reputable citizen of the county may file with the clerk of the county court a written statement under oath, setting forth that the person named is insane and unsafe to be at large, or is suffering under mental derangement, and that the welfare of himself or others requires his restraint or commitment to some asylum or hospital for the insane; this statement must be accompanied by the names of the witnesses, one of whom must be a physician having personal knowledge of the case, by whom the truth of the allegations therein contained may be proved. If it appear that the person alleged to be insane has not been examined by a physician, the judge may appoint a physician to make proper examination.

**INQUESTS IN LUNACY.**—Inquests in lunacy shall be by a jury or a commission of two licensed physicians.

Sec. 5.

15.

**INSANE PERSONS KEPT AT EXPENSE OF STATE.**--All insane persons admitted to insane state institutions shall be maintained at the expense of the state; cost of clothing, transportation and other incidental expenses shall be defrayed by themselves or the county from which they are admitted.

### MARRIAGES.

i. ch. 89,

**WHEN ILLEGAL.**--Marriages between parents and children, including grandparents and grandchildren of every degree, between brothers and sisters of the half as well as of the whole blood, between uncles and nieces, between aunts and nephews, and between cousins of the first degree, are declared to be incestuous and void. This section extends to illegitimate children.

3.

**AGE.**--Males of the age of 21 years and upwards, and females of the age of 18 years and upwards, may contract and be joined in marriage; males of 18 years and upwards or females of 16 years and upwards may contract marriage if the parents or guardians of such persons appear before the county clerk and make affidavit that they are the parents or guardians of such minors and give consent to marriage.

19.

**WHEN VOID.**--If any person residing and intending to continue to reside in this state who is disabled or prohibited from contracting marriage here goes to another state and contracts a marriage prohibited or declared void by the laws of this state, the marriage will be void here for all purposes.

20.

No marriage shall be contracted in this state by a party residing or intending to continue to reside in another state if such marriage would be void if contracted in such other

state. Every such marriage celebrated in this state shall be null and void.

COMMON LAW MARRIAGES.—All marriages Sec. 4. commonly known as "Common law marriages" hereafter entered into (after 1909) shall be and the same are hereby declared null and void unless after the contracting and entering into of such common law marriage a license to marry be first obtained by the parties and a marriage solemnized as is provided by the marriage act. Children born to parties who have entered into a common law marriage are deemed legitimate upon the parents obtaining a license to marry and marrying as provided by the act.

ANNULMENT OF MARRIAGE.—A suit for the annulment of marriage is based on some cause which existed at the time of the marriage. The various causes for annulment may be grouped generally as follows:

- (1) Impotency or the inability of either party from malformation or disease to sustain marital relations.
- (2) Chronic and contagious venereal disease which prevents the consummation of the marriage or which has been so concealed or misrepresented as to constitute a fraud on the other party.
- (3) The fact that either of the parties was an idiot or a lunatic.
- (4) When a woman about to marry pretends to be chaste and conceals from her prospective husband the fact that she is then pregnant by another man, the concealment is such a fraud as to justify annulment.
- (5) Under some circumstances and conditions a marriage entered into under the influence of a mistake may be annulled.

(6) Any fraud, misrepresentation or imposition going to the very fundamentals of the marital relation.

(7) A marriage brought about by force, duress, abduction or terror under threats may be annulled.

(8) A marriage between relations within the prohibited degrees is void and may be annulled.

(9) A marriage may be annulled because of non-age of one or both of the parties.

AGE OF CONSENT.—Section 3 of the marriage act of this state provides that male persons of 18 years of age and upwards and female persons 16 years of age and upwards may contract legal marriages if the parent or guardian give consent in the manner prescribed. It is a question whether or not statutes of this character raise the common law age of consent of 14 years in males and 12 years in females to 18 and 16 years respectively. There are decisions in this country both ways. It seems, however, the weight of authority is that such a statute does raise the age of consent in the manner indicated and that view has been adopted by our appellate court (see Matthes vs. Matthes, 198 Ill. App. 515). Accordingly, any male under 18 years of age and any female under 16 years of age who marries may have such marriage annulled before arriving at the age of consent. If any party to the marriage under the age of consent continues the marriage relation after having arrived at the age of consent, such person must be considered to have ratified the same and the marriage will become valid and binding.

## MATERNITY HOSPITALS.

All persons, societies, associations, organizations or corporations carrying on any maternity or lying-in hospital or place where females may be received, cared for or treated during pregnancy or delivery must obtain a license from the state board of administration. Applications shall be made on blanks furnished and endorsed by six or more persons of good moral character who are tax payers and who shall certify to the respectability of the applicant.

R. S., ch. 23,  
sec. 317.

For violation of this law by any manager or of the rules of the board of administration by the hospital, the license shall be revoked.

Every licensee shall keep a register of all persons admitted. The date of birth of every child, date of discharge of mother and of child, and if child is placed in a foster home, the name of the parents and address, the time placed and whether the child has been adopted. A copy of this information shall go to the board on the first of each month.

No child from a maternity hospital shall be placed in a family home or adopted except after an investigation and approval by the board of administration.

Failure to procure a license or violation of this law is a misdemeanor. Punishment—fine from \$50 to \$500, imprisonment in the county jail up to one year, or both.

LICENSE REQUIRED.—It shall be unlawful to open and conduct any hospital as defined by ordinance, in the city of Chicago, without first obtaining a license.

DISPOSITION OF CHILD.—(Substituted section 1223a for section 1223) It shall be the duty of anyone conducting a hospital to report

C. C.  
sec. 1214.  
Counc. Proc.  
1916-17,  
p. 3770.

the disposition of a child born in or admitted to the hospital within 24 hours after the same, except where the child dies or is taken in custody of a parent. The report shall give the age, sex, name and address of the mother and father if known, and of the person to whom the child is given and whether or not it is adopted by such person.

Sec. 1223 (c).

REPORTS.—Such person or the hospital shall report to the Commissioner of Health each month any maternity or confinement cases, the name and registered number of the person, the result of treatment and such other information as may be called for.

p. 3771.

PLACEMENT FOR CONFINEMENT.—(Substituted for C. C. Sec. 1225.) It shall be unlawful among other things to place the woman for confinement in any place except the licensed hospital.

C.C.  
sec. 1226.

PENALTY.—Any person opening, conducting or managing a hospital as herein defined, without first having obtained a license therefor, or in violation of this ordinance, shall be fined from \$100 to \$200 for each offense.

## MINES.

R. S., ch. 93,  
sec. 28.

NO BOY UNDER 16 AND NO WOMAN OR GIRL TO DO MANUAL LABOR.—No boy under 16 years of age, and no woman or girl of any age, shall be permitted to do any manual labor in or about any mine, and before any boy can be permitted to work in any mine he must produce to the mine manager or operator an affidavit from his parent or guardian that he is 16 years of age.

6 Fed. St.  
Ann. 618.

CHILD LABOR IN MINE FORBIDDEN.—Children under 12 years of age shall not be employed in the underground workings of a mine. Penalty—a fine up to \$100.

**MINORS IN METAL MINES.**—No boy under 16 years of age and no woman or girl of any age, shall be permitted to do any manual labor in or about a metal mine and before any boy can be permitted to work in such mine he must produce an affidavit showing he is 16 years of age. The parent or guardian shall submit with the affidavit certain evidence of the boy's age. Anyone swearing falsely in regard to the boy's age is guilty of perjury.

Sess. L. 1921,  
p. 549.  
sec. 36.

**CHILD LABOR IN MINES, MILLS, ETC.**— Persons operating mines or quarries in which children under 16 years of age have been permitted to work; or operating any mill, cannery, work-shop or factory, etc., where children under 14 years of age have been employed or permitted to work or where children between 14 and 16 years of age have been permitted more than 8 hours per day and more than 6 days per week or after 7 o'clock in the evening and before 6 o'clock in the morning, shall pay an additional tax equal to 10 per centum of the entire net profits of such quarry, mine, etc., each taxable year.

Fed. St. Ann.  
1919 supp.,  
p. 179.

**PURCHASE FROM CHILD UNDER 12 FOR-BIDDEN.**—No person shall be allowed to purchase lead mineral from any child under 12 years of age.

R. S., ch. 94,  
sec. 11.

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All leases of public lands for mining purposes shall contain a provision prohibiting the employment of boys under 16 years and girls or women without regard to age, in any mine below the surface.

#### MORALS COMMISSION.

Creates the "Morals Commission of the city of Chicago," the members to be appointed by the mayor with the approval of the

Counc. Proc.  
1914, p. 2266.

city council. The commission shall consist of five persons, qualified electors of the city, who shall have resided therein at least one year preceding the appointment. The commissioner of health of the city shall be *ex officio* one of the members. A second member shall be a physician in good standing.

The members shall take the oath of office and provide bond in sum of \$1,000. The term of all the members, except the commissioner of health who remains a member of the commission during his term of office as commissioner of health, shall be two years. The members receive no compensation.

The commission may appoint a secretary and clerical assistants. It shall be the duty of the commission to study all phases of sexual immorality in its various forms, their causes and effects and the conditions which tend to promote or restrict them including all practices which are physically or morally debasing in their effect or which concern the physical or moral welfare of the inhabitants of the city, with a view to preventing and securing the correction of such practices and conditions. It shall make a study of the measures necessary to secure the physical and moral rehabilitation of prostitutes, the prevention of prostitution and of venereal disease, of the legal action necessary for the effective suppression of bawdy and disorderly houses, houses of ill-fame or assignation within the city of Chicago and within three miles of the boundaries of said city, and the legal action necessary for the prosecution of the owners, keepers, inmates and patrons of said houses.

It shall advise the prosecuting attorney and the general superintendent of police of the results of its investigations and of the occurrence of any violations of any state laws or

city ordinances relating to the control of vice or immorality which it discovers. It shall, from time to time, make report of its findings to the mayor of the city of Chicago and the city council, and recommend the passage of such statutes, ordinances, and methods of procedure as it deems necessary to secure the objects for which it is established, and shall publish such reports as it may deem necessary.

The commission may make rules and regulations for the conduct of its business.

It shall be the duty of all the heads of the various departments of the city government to co-operate fully with the Morals Commission and to supply it with all information and statistics in their possession.

#### MORTGAGE ON HOUSEHOLD GOODS.

FORECLOSURE.—No chattel mortgage on necessary household goods, wearing apparel or mechanics' tools of any person or family shall be foreclosed except in a court of record. No such household goods, etc., covered by a chattel mortgage shall be taken out of the possession of the mortgagor before foreclosure, except by a sheriff, and then only after the mortgagee or his agent shall present an affidavit to a judge, showing that the mortgage is due, or that he is in danger of losing his security, giving the facts upon which he relies, and shall obtain an order from such judge providing for the seizure of the goods, which shall be held subject to the order of the court.

HUSBAND OR WIFE TO JOIN.—No chattel mortgage, executed by a married man or married woman, on household goods, shall be valid unless joined in by husband or wife, as the case may be.

R. S., ch. 95,  
sec. 23.

Sec. 24.

Sec. 25.

**NOTES SECURED BY A CHATTEL MORTGAGE.**  
—All notes secured by chattel mortgages that do not state upon their faces that they are so secured shall be absolutely void.

#### MOTION PICTURES AND ARCADES.

Counc. Proc.  
1915, p. 380.

**CENSORSHIP.**—It shall be unlawful for any person, firm or corporation to show or exhibit in a public place any pictures of the kind commonly shown in mutoscopes, etc., and such pictures as are commonly shown in so-called penny arcades, and in all other moving picture devices, whether an admission fee is charged or not, without first having procured a permit therefor from the Chief of Police.

It shall be unlawful for anyone to lease or transfer, or otherwise put into circulation, any motion picture plates, films, etc., to any exhibitor for the purpose of exhibition without first having secured a permit from the General Superintendent of Police. (Amending C. C., sec. 1625.)

C. C.,  
sec. 1626.

Such permit shall be granted only upon application in writing for same. The chief shall cause to be inspected the plates, films, or other apparatus from which such pictures are produced, and within three days after such inspection a permit shall be granted or denied. If granted, it shall be in writing.

Counc. Proc.  
1912, p. 392.

If a picture or series of pictures is immoral or obscene, or portrays a riotous, disorderly or other unlawful scene, or has a tendency to disturb the public peace, the General Superintendent of Police shall refuse a permit, otherwise he shall grant it. (Amendment of sec. 1627.)

C. C.,  
sec. 1629.

The permit herein provided for shall be obtained for each and every picture or series of pictures exhibited.

When a permit has been granted to one exhibitor, no other exhibitor may show the same picture or series of pictures unless the written permit is actually delivered to him and a written notice of the transfer or lease is mailed to the Chief of Police. Said written notice shall contain the name and brief description of the picture, the number of the permit and the location of the building where the transferee proposes to exhibit such picture. Each day's exhibition of a transferred picture, without first having mailed notice to the Chief of Police, is a violation of this ordinance.

The written permit herein provided for shall be posted at or near the entrance to the theatre, in such a position that it may be easily read by any person entering such theater at any time when such permitted picture is being exhibited. Each day's exhibition of any permitted picture, without the posting of the permit, shall constitute a violation of this ordinance.

Penalty for violation of this ordinance— fine of from \$50 to \$100.

Where a permit is refused for moving picture plates, films, rolls or other like apparatus from which a series of pictures for public exhibition can be produced, it is unlawful for anyone to lease or transfer the same to any exhibitor of moving pictures, or otherwise put them into circulation for the purpose of exhibition within the city.

For violation of this provision, the films, etc., may be confiscated and the person guilty shall be fined from \$50 to \$200 for each offense.

Every portion of a moving picture theater, and the corridors devoted to the use of the public, shall be so lighted by electric light during all exhibitions and until the entire audi-

Counc. Proc.  
1911, p. 2704.

Counc. Proc.  
1912, p. 1672.

ence has left the premises that a person with normal eyesight shall be able to read Snellen Standard Test Type 40, at a distance of twenty feet, and Type 30 at a distance of ten feet, normal eyesight being able to read Type 20 at a distance of twenty feet in daylight.

The penalty is from \$25 to \$200 fine.

C. C.  
sec. 1612-18.

Counc. Proc.  
1915-16,  
p. 3033.

Counc. Proc.  
1920-21,  
p. 1866.

Counc. Proc.  
1914-15,  
p. 1365.

**MOVING PICTURE OPERATORS.**—This ordinance provides for the licensing by the city of moving picture operators. No one under 21 years shall be licensed.

**MINORS.**—No person under 21 years of age is eligible for examination for license to exhibit or operate motion picture machines designed for use with slow burning type of films.

**MINORS.**—Every applicant for license to operate a moving picture machine or device shall be 21 years of age or over.

**MINORS EXCLUDED FROM CERTAIN MOTION PICTURES.**—Where a permit for the exhibition of a picture is refused because it would tend toward creating a harmful impression on the minds of children, where there would not be the same tendency as to adults, the superintendent of police may grant a special permit limiting the exhibition to persons over 21 years of age if the picture is not of the character to create contempt or hatred for any class of law-abiding citizens.

The penalty for admitting minors is a fine of from \$10 to \$25; the admission of each minor constitutes a separate offense. For violation the mayor may revoke the license of the theatre.

#### MOTOR VEHICLES.

C. C.  
sec. 2728 (g).

**MINORS NOT TO DRIVE MOTOR VEHICLES.**—(Counc. Proc. 1911-12, p. 1926.) It is unlaw-

ful for any person under 16 years of age or any person under 18 years of age unless accompanied by a parent, guardian or adult person, to operate any motor vehicle or cycle on the streets or in public places in the city, or for any owner of a vehicle to permit such person so to operate.

**MINORS NOT TO DRIVE.**—No person shall operate or drive a motor vehicle who is under 15 years of age, unless such person is accompanied by a licensed chauffeur or the owner of the vehicle.

R. S., ch. 121,  
sec. 269 (z. e.).

#### MUNICIPAL COURT OF CHICAGO.

**JURISDICTION.**—The municipal court shall have jurisdiction in, among others, the following cases:

R. S., ch. 37,  
sec. 265.

Third. In all criminal cases in which the punishment is by fine or imprisonment, otherwise than in the penitentiary, and all other criminal cases which the laws may permit to be prosecuted, otherwise than on indictment.

Fifth. All *quasi* criminal actions, excepting bastardy cases.

Sixth. All proceedings (a) for the prevention of the commission of crime; (b) for the arrest, examination, commitment, and bail of persons charged with criminal offenses; (c) pertaining to search warrants, and (d) all bastardy cases.

**NO GRATUITY TO BE RECEIVED.**—Neither the clerk nor the bailiff nor their deputies shall receive any money or other valuable thing as a gratuity.

Sec. 281.

**HOW CRIMINAL CASES PROSECUTED—INFORMATION—COMPLAINT.**—All criminal cases in the municipal court, in which the punishment is by fine or imprisonment, otherwise

Sec. 290.

than in the penitentiary, may be prosecuted by information of the state's attorney or some other person, and when an information is presented by some other person it shall be verified by affidavit of such person that the same is true, or that the same is true as he is informed and believes. Before an information is filed by any person other than the state's attorney, one of the judges shall examine the same and may examine the person presenting it and require other evidence and satisfy himself that there is probable cause for filing the same and so endorse the same. Every information shall set forth the offense with reasonable certainty, substantially as required in an indictment, and the proceedings thereon shall be the same, as near as may be, as upon an indictment in the criminal court of Cook County, excepting as is by this act otherwise provided. Any person committed for a supposed criminal offense and not admitted to bail and not tried within four months after the date of arrest, shall be set at liberty by the court, unless the delay shall happen on the application of the prisoner, or unless the court is satisfied that due exertion has been made to procure the evidence on the part of the people and that there is reasonable ground to believe that such evidence may be procured within the next sixty days, in which case the court may continue the case for such time as may be necessary, not exceeding said sixty days; *provided, however,* that if said person be not tried within sixty days, no further continuance shall be granted and said person shall be set at liberty.

**Sec. 312.**

PRACTICE IN CASES OF FIFTH CLASS—SUMMONS—WARRANT—POLICE ARRESTING ON VIEW.—The first process shall be a summons. If, however, the defendant, after being duly served with summons, fails to appear or enter

his appearance, the court may proceed as in case of default and may issue a warrant for the arrest of defendant.

A warrant may issue in the first instance if the facts constituting the offense also constitute a violation of the criminal code, and if some person files a complaint under oath.

A warrant may issue in the first instance upon the affidavit of any person that an ordinance has been violated and that the person making the complaint has reasonable grounds to believe that the person charged is guilty thereof, and will escape unless arrested, and stating the facts upon which such belief is based. The judge must be satisfied, however, that the arrest should be made.

Any police officer may arrest, on view, any person seen in the act of violating within the city any ordinance, whenever such violation is made punishable by fine or otherwise.

PRACTICE IN MUNICIPAL COURT TO PREVENT COMMISSION OF CRIMES.—The municipal court has jurisdiction in proceedings to prevent the commission of crime, and the judges may cause warrants to issue to apprehend the persons complained of.

SEARCH WARRANTS.—The municipal court has jurisdiction in search warrant cases. The warrant shall direct proper officer to search, in day time or night time, the house or place where stolen property or other things are believed to be concealed (which place and property or things to be searched for shall be particularly designated and described in the warrant) and to bring such stolen property and the person in whose possession it is found before the municipal court.

COSTS IN CRIMINAL AND QUASI-CRIMINAL CASES.—The costs in criminal cases and in

Sec. 313 (b).

Sec. 313 (d).

Sec. 320.

*quasi* criminal cases in the municipal court, instituted in the name of the people, and in proceedings for the prevention of the commission of crimes, proceedings for the arrest, examination, commitment and bail of persons charged with criminal offenses, proceedings pertaining to searches and seizures by search warrants, and in bastardy cases, shall be as follows:

First. The clerk's fee, other than furnishing transcripts of record, \$6 in all cases other than proceedings for the arrest, examination, commitment and bail of persons charged with criminal offenses, in which cases the fee shall be \$15.

Second. The bailiff's fee shall be the same as that charged by the sheriff for similar service, except there shall be no charge for mileage. Some of the charges by the sheriff are, serving summons on each defendant, \$1; serving a subpoena on each witness, \$1; executing each capias, \$2; returning each writ of process, 50c; committing to or discharging each prisoner from jail, 50c.

Fourth. The fees and mileage of witnesses shall be the same as those allowed by law from time to time to witnesses in the criminal court of Cook County.

No advance costs shall be required in any criminal or *quasi* criminal case, but in case of final judgment, all of the costs may, in the discretion of the court, be awarded against the defendant and collected by execution or otherwise, as the court may direct.

In bastardy cases, should there be a judgment against the defendant, the costs shall be taxed against him, but in case of his acquittal the costs may be taxed against the complaining witness; *provided*, that in taxing costs in

any criminal or *quasi* criminal case, no fee for the issuance of a warrant shall be included.

COSTS IN CITY CASES.—Costs in *quasi* Sec. 321. criminal cases in the municipal court, instituted in the name of the city of Chicago, shall be as follows:

First. The clerk's fee shall be \$6, provided, however, that the court may, in its discretion, remit the costs.

Second. Bailiff's fees are the same as those indicated in section 320.

No advance costs shall be required.

#### NAME—HOW TO CHANGE.

CHANGE OF NAME.—Any person a resident R. S., ch. 96,  
of the state for six months next preceding, sec. 1.  
desiring to change his name may file a petition  
in the circuit court praying such relief.  
Whenever an infant has resided in a family  
for three years and has been recognized and  
known as an adopted child in such family, ap-  
plication may be made by the person in whose  
family the child has remained. Notice of one's  
intention to apply for change of name shall  
be published as provided in the act.

#### NATURALIZATION.

The department is known as the Bureau of 6 Fed. St.  
Immigration and Naturalization under the Ann. 940,  
direction of the Secretary of Commerce and sec. 1.  
Labor. In addition to the duties now pro-  
vided by law, it shall have charge of all mat-  
ters concerning the naturalization of aliens; to  
provide for use at the various immigration  
stations books of record for the registry of  
each alien, showing the name, age, occupation,  
personal description, place of birth, last resi-  
dence, intended residence here, date of arrival,  
etc.

**Sec. 3.** Exclusive jurisdiction to naturalize aliens is conferred on the following courts: United States circuit and district courts; also all courts of record in any state or territory having general jurisdiction. This jurisdiction shall extend only to aliens resident in the district.

**Sec. 4.** An alien may be admitted to become a citizen of the United States in the following manner:

First. He shall declare on oath before the clerk of the court at least two years prior to his admission and after he has reached 18 years of age, that it is *bona fide* his intention to become a citizen of the United States and to renounce his allegiance and fidelity to any other power. The declaration shall state the name, age, occupation, etc.

Second. Not less than two nor more than seven years after such declaration, he shall file in duplicate a petition signed in his own handwriting, and verified, stating name, residence, occupation, etc.; if he is married he shall state the name of his wife, the names and data about children if any. Petition shall show he is not a disbeliever in organized government, a polygamist and that it is his intention to become a citizen of the United States and to renounce absolutely all allegiance to any other power; and that it is his intention to reside permanently within the United States, and whether or not he has been denied admission before. Petition shall be verified by affidavits of at least two credible witnesses, citizens of the United States, showing they have known the applicant to be a resident of the United States for at least five years continuously, and of the state for at least one year immediately preceding the date of the petition, and that they have personal

knowledge that the petitioner is a person of good moral character and in every way qualified to be admitted as a citizen.

Third. The alien shall swear to support the constitution of the United States, and that he absolutely renounces all allegiance to any other power; that he will support and defend the constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same.

Fourth. The court shall be satisfied as to the length of residence of the alien, and that during the time he has behaved as a person of good moral character, attached to the principles of the constitution of the United States and well disposed toward the good order and happiness of the same. In addition to this oath, two witnesses shall testify as to residence, moral character, etc.

Fifth. If the alien has borne any hereditary title, he shall renounce it.

Sixth. If any alien having declared his intention to become a citizen dies before he has become a naturalized citizen the widow and minor children may become naturalized without making any declaration of intention.

These contain provisions for public notice, Secs. 5 and 6. hearings, etc.

No one who disbelieves in organized government or is a polygamist shall be made a citizen. Sec. 7.

No alien shall be naturalized who can not speak the English language. Provision does not apply where alien is physically unable to comply therewith, nor to those who hereafter declare their intention to become citizens and make homestead entries upon public lands. Sec. 8.

The court shall file a duplicate of each declaration of intention, and shall send to the Sec. 12.

Bureau of Immigration and Naturalization within thirty days after the issuance a duplicate of each certificate of citizenship. It shall furnish the Bureau with the names of persons denied citizenship.

Sec. 27.

Gives the forms of Declaration of Intention, Petition for Naturalization, Affidavit of Witnesses, and Certificate of Naturalization.

6 Fed. St.  
Ann. 1004.

If any alien who has declared his intention to become a citizen becomes insane before he is naturalized, and his wife thereafter shall make a homestead entry under the land laws, she and the minor children may, by complying with the other provisions of the naturalization laws, be naturalized without making any declaration of intention.

6 Fed. St.  
Ann. 941,  
sec. 2166.

Any alien of 21 years of age or more, enlisted in the armies of the United States, upon being honorably discharged may be admitted to citizenship upon petition without any declaration of intention. One year's residence in the United States will be sufficient.

6 Fed. St.  
Ann. 1004.

Any alien of 21 years of age enlisted in the Navy or Marine Corps, who has served five consecutive years in the Navy or one enlistment in the Marine Corps and has been honorably discharged, shall be admitted to citizenship upon petition without any declaration of intention.

6 Fed. St.  
Ann. 947,  
sec. 2172.

Children of persons duly naturalized, under 21 years of age at the time of the naturalization of their parents, shall, if dwelling in the United States, be considered as citizens thereof; and the children of persons who now are or have been citizens of the United States, shall, though born out of the limits of the jurisdiction, be considered as citizens thereof.

U. S. R. S.,  
sec. 1994.

CITIZENSHIP OF WOMEN BY MARRIAGE.— Any woman who is married to a citizen of the

United States who might herself be lawfully naturalized shall be deemed a citizen.

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A woman is both a "citizen" and a "person" within the meaning of the 14th Amendment, first section: "No state shall make or enforce any law which shall abridge the privileges and immunities of the citizens of the United States nor shall any state deprive any person of life, liberty and property without due process of law nor deny to a person within its jurisdiction the equal protection of the law." (Ritchie vs. The People 155 Ill. 98, 111.)

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The marriage of a citizen woman to an alien does not expatriate her unless and until she actually removes from the country.

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All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside.

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Women if born of citizen parents within the United States are considered citizens. (Minor vs. Happersett, 21 Wall. 165.)

#### NE EXEAT.

WHEN WRIT MAY ISSUE.—Writs of *ne exeat* may be granted in certain cases.

FORM OF WRIT.—The writ of *ne exeat* shall contain a summons for the defendant to appear and answer the petition and upon the writ being served the defendant shall give bond with surety conditioned that he will not leave the state without leave of court and that he will render himself in execution to answer any judgment or decree which the court

14th Amend.  
Fed. Const.

may render against him. In default of giving such security he may be committed to jail for want of bail. (This writ frequently issues in divorce cases.)

#### NURSES—REGISTRATION.

R. S.,  
ch. 100 (a).  
sec. 9.

It is unlawful for any person to practice or attempt to practice in this state as a registered nurse without a certificate from the Illinois State Board of Nurse Examiners. Any registered nurse is entitled to append the letters "R. N." to his or her name.

Sec. 10.

Anyone practicing as a registered nurse without holding a certificate is liable to a fine up to \$100 for the first offense and up to \$200 for a subsequent offense.

Sec. 13.

All registered nurses are exempt from jury service.

#### OBSCENE LITERATURE AND IMMORAL EXHIBITIONS.

R. S., ch. 38,  
sec. 223.

CIRCULATING OBSCENE BOOKS, ETC.—Whoever brings, or causes to be brought, into this state for sale or exhibition, or shall sell or offer to sell, or shall give away, or have in his possession, any obscene or indecent book, pamphlet, paper, drawing, lithograph, engraving, photograph, etc., instrument of indecent or immoral use, or shall advertise the same for sale, in any way whatever, or shall give any information as to how, where, or of whom said indecent and obscene articles hereinbefore mentioned can be purchased or obtained, or shall manufacture such articles, shall be confined in the county jail not more than six months, or fined not less than \$100 nor more than \$1000 for each offense. One-half of the fine goes to the informer.

**DEPOSITING WITH COMMON CARRIER.**— Sec. 224.  
Anyone sending through the post office, or by an express company, or in any other manner, any of the obscene and indecent articles mentioned in the preceding section, or anyone advertising through the mail, express companies or otherwise, the foregoing articles or things, shall be subject to the fines mentioned in the preceding section.

**CLASS AND RACE PREJUDICE.**—It shall be Sec. 224 (a). unlawful for any person to manufacture, sell, offer for sale, advertise, publish or exhibit in any public place any lithograph, moving picture, play, drama, or sketch portraying depravity, criminality, unchastity or lack of virtue of a class of citizens, of any race, color, creed or religion which said publication or exhibition exposes the citizens of any race, color, creed or religion to contempt or derision or which is productive of breach of peace or riots. A violation of this provision is a misdemeanor and shall be punished by a fine of from \$50 to \$200.

**HANGINGS AND LYNCHINGS.**—It shall be un- Sec. 224 (b). lawful for any person to manufacture, sell, offer for sale, advertise or exhibit in any public place any publication or representation by lithograph, moving picture, play, drama or sketch representing any hanging, lynching or burning of any human being. The penalty is a fine of from \$50 to \$200.

**OBSCENE EXHIBITION.**—Any person who Sec. 224 1/2. prepares, advertises, gives, presents or participates in obscene or indecent drama, play, exhibition, show or entertainment, and every person aiding therein and every owner, lessee or manager of any theatre, moving picture house, garden, building, room, place or structure who leases or lets the same for such purposes or who assents to the use of the

same for such purpose is guilty of a misdemeanor. The penalty is a fine of from \$25 to \$200 or imprisonment in the county jail or house of correction up to one year or both such fine and imprisonment. Any subsequent offense may be punished by a fine of from \$50 to \$500 or imprisonment in the county jail or house of correction up to one year or both such fine and imprisonment.

C. C.,  
sec. 2024.

**INDECENT LITERATURE AND IMMORAL EXHIBITION.**—(As amended by Counc. Proc. 1913-14 p. 225.) No person shall exhibit, sell, or circulate any indecent or lewd book, picture or other thing whatever of an immoral or scandalous nature, or exhibit any picture representing a person in a nude state, where it can be seen from a highway or in a public place frequented by children, which is not connected with any art or educational exhibition; nor shall any person exhibit or perform any indecent, immoral or lewd play or other representation. Penalty—a fine from \$20 to \$100 for each offense.

Counc. Proc.  
1911-12,  
p. 2703.

**SELLING OBSCENE BOOK.**—It is unlawful for anyone to sell, or exhibit for sale in any form which may suggest the sale thereof is surreptitious or contrary to law, any book, pamphlet or literature bearing the title of any well-known book of salacious character or of which the sale is prohibited or bearing the title of a book whose contents are actually lewd, lascivious, obscene, immoral or indecent; or any book or literature having about it anything indicating it is obscene, lewd or immoral; or to sell any book or literature under pretense it is immoral or lewd or to use any pretense or fraud to convey the impression the book or literature is immoral or lewd whether such pretense is a misrepresen-

tation or not. The penalty is a fine of from \$25 to \$200.

**IMPURE LITERATURE, RELATING TO DISEASES.**—It is unlawful to sell or offer to sell, give away, or distribute, literature of any kind relating to venereal diseases, upon the street or sidewalk or public property of the city.

**INDECENT EXPOSURE.**—An indecent exposure of any kind in a public place is punishable by fine of \$20 to \$100.

Anyone committing any indecent, lewd or filthy act in any place, or uttering any lewd or filthy words, or singing any song the words of which are suggestive of indecency or immorality, or who shall use any threatening or abusive language publicly, or who shall make any obscene gesture to any person publicly, shall be subject to a fine of \$5 to \$100. (Amending C. C. sec. 2026.)

It is unlawful for anyone to own or conduct any exhibition commonly known as a museum of anatomy or any place of amusement, whether a fee is charged or not, wherein a principal part of the exhibition is illustrative of the human anatomy, or there is exhibited any books, pamphlets, etc., describing the genital organs or containing any obscene, lewd, indecent or immoral exhibition of any kind, when such exhibition or museum is conducted for profit directly or indirectly, or in connection with a place where medical treatment is offered or medicine sold, or for any immoral purpose. Penalty—fine from \$25 to \$200 for each offense.

**EXHIBITION OF NOTORIOUS AND DEFORMED PERSONS UNLAWFUL.**—It is unlawful for any person to exhibit publicly for pecuniary gain, persons who have become conspicuous through some criminal act which has a tend-

C. C.  
sec. 2020.

Sec. 2025.

Counc. Proc.  
1913, p. 532.

Counc. Proc.  
1912, p. 2979.

R. S., ch. 38,  
sec. 518.

ency to degrade morals or exhibit their pictures or any articles which appertain to them in their attainment to criminal notoriety and to exhibit persons whose deformity is such as to attract public curiosity.

Sec. 519.

**PENALTY.**—Persons violating this act are subject to fines up to \$100, imprisonment in county jail between 30 and 90 days, or by both.

Sec. 520.

**FINES TO GO TO SCHOOL FUND.**—All fines collected for violation of this act shall be given to the school fund of the county.

#### OFFICES.

A woman is authorized, when she is a proper officer, to administer oaths.

A woman may act as executrix or administratrix.

A woman may act as guardian.

Women are eligible to be masters in chancery or to hold any appointive office. (Schuchardt vs. The People, 99 Ill. 501.)

A woman may be county superintendent of schools.

#### PARKS AND PLAYGROUNDS.

Sess. L. 1921,  
p. 673, sec. 1.

**PLAYGROUNDS IN CONTROL OF BOARD OF EDUCATION.**—The Board of Education in any city having a population of over 100,000 shall have control and management of all public playgrounds adjacent to any public school and shall equip, maintain and operate the same for the moral, intellectual and physical welfare of the children.

C. C.,  
sec. 1700.

(As amended by Counc. Proc. 1916-17, p. 3234.) This section establishes bureau of parks, public playgrounds and bathing beaches under the supervision and control of Commissioner of Public Works.

**INDECENT WORDS.**—No threatening, abusive, insulting or indecent language shall be allowed in the parks, public playgrounds or bathing beaches. No conduct shall be permitted whereby a breach of the peace may be occasioned. No person shall commit any obscene or indecent act within the parks. Sec. 1711.

It is unlawful for anyone to operate or cause to be operated any street car, motor truck, etc., or ride or drive any horse within four hundred feet of any school house at a greater speed than five miles per hour between the hours of eight o'clock A. M. and five o'clock P. M. on any school day. The penalty is a fine from \$5 to \$100. Counc. Proc  
1915, p. 1274

The above provision also applies to any public playground between eight o'clock A. M. and seven o'clock P. M. on any day it is in operation. (Amending C. C., sec. 1963.)

### PAUPERS.

**WHO LIABLE TO SUPPORT.**—Every poor person who shall be unable to earn a livelihood because of any bodily infirmity, idiocy, lunacy, or other unavoidable cause, shall be supported by the father, grandfather, mother, grandmother, children, grandchildren, brothers or sisters of such poor person, if they or either of them be of sufficient ability; *provided*, that when persons become paupers through intemperance or other bad conduct, they shall not be entitled to support from any other relation except parent or child. R. S., ch. 10:  
sec. 1.

**WHO FIRST CALLED UPON.**—The children shall first be called upon to support such poor person, if of sufficient ability. Next in order the parents, brothers, sisters, grandchildren, or grandparents, if they, in the order named, be of sufficient ability. Sec. 2.

Proceedings under this act in this county are conducted by the County Attorney.

**Sec. 43.**

**CHILDREN ON POOR FARMS—HOME FOR THEM.**—The county judge may release from the custody of the keepers of poor farms all children confined therein under the age of 14 years, who have no parents or legal guardians living, if the judge can, without expense to the county, through the agency of any person or charitable society, secure a good home for such child; it is the duty of said judge to enter into a contract on behalf of such children with the person who agrees to take such children, which contract shall provide that such child or children shall be clothed, maintained and schooled in the common schools, until the male children are 21 years old, and the female children are 18 years old.

**R. S., ch. 33.  
sec. 5.**

**COSTS—POOR PERSONS.**—The court may permit a poor person, who is unable to prosecute his suit and pay the costs and expenses thereof, to commence and prosecute his action as a poor person. The court may assign counsel for such person, who, as well as all the other officers of the court, shall perform their duties without any fees. If there is judgment for the plaintiff, the costs shall be collected for the use of such officers.

**R. S., ch. 107,  
sec. 22 (a).**

**MINOR OR WOMAN FORBIDDEN IN POOR HOUSE.**—No feeble-minded girl or woman between the ages of 14 and 45 years shall be kept in, committed to, or received in any poor house or poor farm. No male child under the age of 17 years or female under the age of 18 years shall be kept in any poor house or poor farm for more than thirty days. This provision does not require the removal of any person now an inmate of the poor house or poor farm except where it is deemed necessary by the Department of Public Welfare.

## PAWBROKERS AND SOCIETIES.

**PAWBROKERS.**—No pawnbroker shall receive any pawn or pledge or property of any kind from any minor, the ownership, possession or control of which is in the minor. R. S.  
ch. 107(a),  
sec. 8.

**PLEDGE OR PURCHASING FROM MINOR.**—C. C.,  
sec. 1754.  
(As amended by Counc. Proc. 1918-19, p. 639.) No pawnbroker shall receive any pledge in property of any kind from a minor or which is claimed by a minor or in the possession of a minor, for money loaned; nor shall he buy any article from a minor.

**EMPLOYEES UNDER 16.**—(As amended by Sec. 1755.  
Counc. Proc. 1918-19, p. 639. Section changed from 1756.) No pawnbroker shall permit any person under the age of 16 years to take pledges in pawn for him nor shall the pawnbroker purchase second-hand articles from him.

**COMPENSATION FOR MONEY ADVANCED.**—R. S., ch. 32,  
sec. 180.  
Pawn societies may charge not to exceed one per cent per month to any pawnor or pledger, as compensation for money advanced, and not to exceed one-half per cent per month, additional for storage and insurance.

**PROPERTY PLEDGED MAY BE SOLD.**—If the Sec. 181.  
property pledged is not redeemed within the time fixed upon, it may be sold at public auction after expiration of one year from such time.

## PEDDLERS.

**DEFINITION OF PEDDLERS.**—Every person C. C.,  
sec. 1760. who shall sell or offer to sell, barter, etc., at retail, any goods, fruits, merchandise, etc., traveling from place to place along the streets of the city, or who shall deliver such goods from any kind of vehicle, shall be deemed a

peddler and such person shall secure a license before engaging in such business.

Penalty for violation of section—fine of \$20 to \$50.

#### PENITENTIARIES.

R. S., ch. 108,  
sec. 9.

MATRON.—The warden shall appoint a matron and such assistant matrons as may be necessary, not exceeding one to each 25 female convicts, who shall perform such duties as the warden may require.

Sec. 72.

FEMALES TO BE SENT TO JOLIET.—Any female sentenced to the penitentiary shall be sent to the penitentiary at Joliet.

#### PERJURY.

R. S., ch. 38,  
sec. 225.

PUNISHMENT.—Every person having taken a lawful oath, or made affirmation in any judicial proceeding, or in any other matter where, by law, an oath is required, who shall swear wilfully, corruptly or falsely, in a matter material to the issue or point in question, or shall suborn any other person to swear as aforesaid, shall be deemed guilty of perjury or subornation of perjury and be imprisoned in the penitentiary not less than one, nor more than fourteen years.

Sec. 228.

Endeavoring to incite to commit perjury is also a crime.

#### PLACING AND VISITATION OF CHILDREN IN FAMILY HOMES.

R. S., ch. 23,  
sec. 254.

The superintendent or secretary of every association incorporated to care for dependent, neglected or delinquent children, which is supported in whole or in part by public funds shall report to the State Board of Public Charities the name, age and sex of

every child placed in a family home together with the name and address of the family.

The court placing such child also shall make this report.

Provides for a state agent and visitors, who shall be discreet men and women selected with special view to their wisdom and fitness for visiting children, the position to be under civil service. Sec. 256.

The state agent shall have general charge of the work of visitation under rules that may be prescribed. The visitors shall visit children placed in homes. Sec. 257.

The State Board of Public Charities may permit the child to be visited by agents of the association placing it, after satisfying itself as to the fitness of such agent to do the work.

If the visitor shall find that the child is cruelly treated or is not receiving suitable school advantages, or that for any other reason the home is not a suitable place for the child, the State Board of Public Charities shall notify the association placing the child. If the association does not take action within fifteen days the Board may remove the child from the home and return it to the association or to the court. Sec. 259.

Anyone violating any provision of this act shall be guilty of a misdemeanor. Sec. 261.

No person or association engaged in the business of caring for or placing in homes neglected, dependent, truant, or delinquent children, shall place a child in a family home without first having obtained the written surrender or consent from the parents or guardian, except by order of court. Sec. 264.

Every such person or association shall keep a book or card record in which shall be en- Sec. 265.

tered the name, sex and age of each child under the control of such person or association, the date of surrender or commitment, the court committing the child, or the name, address and occupation of the parents or guardian, of the brothers and sisters, and of the persons with whom the child is placed.

### POLICE DEPARTMENT.

C. C.,  
sec. 1907.

DEPARTMENT OFFICERS.—(As amended by Counc. Proc. 1919-20, p. 1781.) A department is established known as the Department of Police embracing the Superintendent of Police, three deputy superintendents of police, various other officers, including patrol women and matrons.

### PROBATION SYSTEM.

R. S., ch. 38,  
sec. 509 (a).

Courts having criminal or *quasi* criminal jurisdiction shall have power to deal in manner hereinafter provided with all offenders whether adult or juvenile.

Sec. 509 (b).

Any defendant not previously convicted of a crime greater than a misdemeanor, petty larceny and embezzlement excepted, who has pleaded guilty or who has been found guilty by a jury or court of a violation of a municipal ordinance, or of any criminal offense, except manslaughter, murder, rape, kidnaping, wilful and corrupt perjury or subornation of perjury, arson, larceny and embezzlement where the amount exceeds \$200, incest, burglary of an inhabited dwelling house, conspiracy in any form, offenses under the election laws, may in the discretion of the judge after judgment be admitted to probation.

One found guilty of contributing to the dependency or delinquency of children or of wife and child abandonment may be released

on probation whether previously convicted of crime or not.

Before granting request for probation the court shall require the probation officer to investigate accurately and promptly to ascertain defendant's residence and occupation, whether or not he has been previously convicted of crime or placed on probation; the court also may require information as to personal characteristics, habits and associations, the names, relationship, ages and conditions of those dependent upon defendant for support and education, or any other facts that will aid the court in determining the propriety of probation. Sec. 509 (c).

In the cases of contributing to the dependency and delinquency of children and of wife and child abandonment defendant may be admitted to probation without this preliminary investigation.

Application for probation may be granted if the court is satisfied there is reasonable ground to expect the defendant to reform and that the interests of society will be subserved. The case shall be continued not exceeding six months for a violation of a municipal ordinance and not exceeding one year for other offenses. During this time conditions of probation may be changed or final sentence imposed.

Here follow conditions of release on probation: (1) probationer shall not violate any criminal law of the state or any ordinance of the city; (2) if convicted of felony or misdemeanor, he shall not leave the state without the consent of the court; (3) he shall report once a month or as often as required of his whereabouts, conduct and employment and furnish such other information as may be required to his probation officer; (4) he shall Sec. 509 (d).

enter into bond or recognizance with or without surety to perform the conditions imposed which may be sued on by any person authorized by the court for the use of the parties in interest. One or more of the following conditions may be imposed: (1) he shall make restitution or reparation in whole or in part, immediately, or as designated, to the person injured or defrauded; (2) he shall contribute to the support of those dependent upon him; (3) he shall pay any fine and the costs in installments as directed.

Sec. 509 (g). The probation officer shall report to the court at the termination of the period the conduct of the probationer. The court may discharge him or extend the period not to exceed six months in violation of a municipal ordinance, or one year in other offenses.

Sec. 509 (h). Any departure from the state in violation of the probation shall operate as a termination of the same and he may be proceeded against as a fugitive from justice. Upon re-arrest the court may proceed with the case as though there had been no probation.

Sec. 509 (i). The circuit court of the county may appoint a probation officer to act for and throughout the county in which he is appointed. Additional officers may be appointed as are deemed necessary or advisable, provided the number shall not exceed one for every 50,000 inhabitants, the preceding school census being the basis for determining the population. In any county where there are five or more probation officers the court may appoint in addition a chief probation officer. The officers shall be of good character, shall possess such other qualifications as may be provided by rules of the court and may be required to give bond not exceeding \$5000 for the faithful discharge of their duties. They shall be re-

movable in the discretion of the court. The court may adopt general rules promotive of the letter and spirit of this law, providing among other things for the qualifications of the officers and their duties. In cities of 75,000 or less inhabitants where there is a municipal or city court, such court may appoint one officer to act in such courts. The other probation officers of the county shall be equally apportioned between the county and the several cities that have a population of more than 75,000 inhabitants.

The officers apportioned to the county shall be appointed by the circuit court and those apportioned to such cities shall be appointed by the municipal or city courts. The judges of the circuit court and of the municipal or city courts of cities having a population of more than 50,000 inhabitants shall meet in a body and appoint a chief probation officer over all the probation officers appointed by any of the courts. Judges may adopt general rules and transact such other business as may seem proper. They may appoint a committee to exercise the ministerial powers of the entire body of judges and those of appointment and removal of the chief probation officer. This committee to report to the entire body of judges. The superior court shall be included in the term circuit court.

Any reputable private person of 25 years or upwards may be appointed a probation officer. A police officer may be appointed as a probation officer in the city, but shall receive no additional compensation. Sec. 509 (j).

Every such officer shall take oath to support the constitution and laws of the United States and the State of Illinois and faithfully to perform the duties of his office.

sec. 509 (k). Probation officers, sheriffs, constables and police officers may arrest on view any probationer found violating any of the conditions of his probation and the officer shall immediately take him before the court having jurisdiction over him.

sec. 509 (l). The duties of probation officers shall be: (1) to investigate the case of any person placed on probation. Full opportunity shall be afforded the officer to confer with the person when he is in custody; (2) to notify the court of previous conviction for crime or previous probation; (3) to make reports and notifications as required by this act; (4) to preserve complete and accurate records, including the description of the person investigated, the action of the court, the subsequent history if the person becomes a probationer during the continuance of his probation, which records shall be open for the inspection of the court, but not public records; (5) to take charge of persons placed on probation giving each one full instruction as to the terms of release and requiring of him such periodical reports as shall inform the officer of his conduct; (6) when any probationer removes from the county the officer shall transfer properly the case to some officer in the county removed to.

sec. 509 (m). The chief probation officer shall supervise and control the work of the other officers, subject to the rules and regulations adopted and supervise the conduct of probationers to the extent directed by the court.

He may suspend any probation officer not exceeding thirty days, but he may not discharge him. Upon suspension the chief probation officer must file charges promptly with the court. The court shall hear evidence on these charges and act as the interest of jus-

tice and the good of the probation service may require.

The records shall be kept under the supervision of the chief probation officer. The county commissioners or supervisors shall furnish suitable rooms and accommodations for the officers and clerical assistants.

The board of commissioners or supervisors Sec. 509 (n). shall determine the compensation to be paid any officer appointed by the circuit court. The city council shall determine that of any officer appointed by a municipal or city court. The compensation of any chief probation officer in counties of the third class shall not exceed \$5000; that of not more than three in counties of the third class shall not exceed \$2400 each; that of other officers will be fixed by the courts but shall not exceed \$2000. The compensation of any chief probation officer in counties of the second class shall not exceed \$1200, and that of any other officer shall not exceed \$800. In counties of the first class the compensation shall be limited to a per diem of not more than \$3 for the time the officer is actually engaged. They shall be entitled to their necessary traveling and other expenses; but in counties of the second and third class no traveling expenses will be allowed unless the officer goes outside of his county. No probation officer receiving compensation from any public funds under this act shall receive any compensation, gift, or gratuity whatsoever from any person, firm or corporation for doing or refraining from doing any official act connected with any proceeding pending or to be instituted in any court with which the probation officer has to do. Anyone violating this provision is guilty of a misdemeanor and may be punished

accordingly and should be removed immediately by the court.

**Sec. 509 (o).**

The defendant is entitled to the review of any order changing or terminating the probation period, either by appeal or writ of error, as is provided by law.

**Sec. 509 (p).**

The act shall not be construed as depriving any person of the right of trial by jury or as interfering with the prerogative of the governor to grant reprieves, etc.

### PROHIBITION.

**Fed. St. Ann.  
1919, p. 839.**

**FEDERAL CONSTITUTION, 18TH AMENDMENT.**—After one year from ratification the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into or the exportation thereof from the United States and all territories subject to the jurisdiction thereof for beverage purposes, is hereby prohibited.

**Sess. L. 1921,  
p. 683, sec. 3.**

**SALE FORBIDDEN.**—No person shall manufacture, sell, barter, transport, deliver, furnish or possess any intoxicating liquor except as authorized by the Prohibition Act, and all provisions of this act shall be liberally construed to the end that the use of intoxicating liquor as a beverage may be prevented.

**Sec. 5.**

**POOL ROOM, BOWLING ALLEY, ICE CREAM PARLOR, ETC.**—No person shall sell, barter, furnish, give away, or possess articles enumerated in Section 4, including denatured alcohol, medicinal preparations, toilet and antiseptic preparations unfit for beverage purposes, flavoring extracts and syrups, vinegar and preserved sweet cider, if they contain one-half of one per centum or more of alcohol by volume, in any restaurant, pool room, shoe shining parlor, bowling alley, ice cream parlor, soft drink establishment or public place where liquid refreshments are served.

**DAMAGES.**—Any person injured in person, p. 689, sec. 20. means of support, or otherwise by any intoxicated person or by reason thereof whether resulting in death or not, has a right of action against any person who by selling or procuring for such intoxicated person intoxicating liquor, may recover actual and exemplary damages. In case of death of either party the action shall survive to or against the executor or administrator. Any amount recovered by wife or child shall be the sole and separate property of her or such child.

**NUISANCE.**—Any room, house, building or p. 690, sec. 21. place wherein intoxicating liquor is manufactured, sold, kept or bartered in violation of this act is hereby declared to be a common nuisance. Any person guilty of maintaining such nuisance may be fined not more than \$500, imprisoned not more than one year or punished by both such fine and imprisonment. The nuisance may be abated in an action brought by the attorney general, state's attorney, city attorney, prosecuting attorney, commissioner of prohibition or by any citizen living in the county wherein the nuisance exists.

It shall be the duty of all municipal, county p. 699, sec. 42. and state officials to co-operate in the enforcement of this act.

#### PROSECUTING ATTORNEY.

**DEPARTMENT OF LAW.**—There is hereby established an executive department of the municipal government, to be known as the department of law, which shall embrace the corporation counsel and assistants; one of the assistants shall be known as the city attorney and the other as prosecuting attorney. c. C. sec. 85.

**DUTIES.**—The prosecuting attorney shall be Sec. 102. charged with the prosecution of all actions for

violation of the ordinances of the city. He shall institute an action in every case where there has been a violation of an ordinance, when instructed so to do by the corporation counsel, or by the chief officer of any department, or upon complaint of any other person when, in the judgment of the corporation counsel, the public interest requires that the same shall be prosecuted.

## PROSTITUTION.

R. S., ch. 38,  
sec. 57.

**DISORDERLY HOUSE—ILL FAME.**—(a) Persons keeping houses of ill fame for the practice of prostitution or lewdness; (b) persons patronizing such places; (c) persons letting houses or rooms for such purposes; (d) persons keeping common, ill-governed and disorderly houses, to the encouragement of gaming, drinking, fornication, or other misbehaviour, shall be fined not exceeding \$200. Whenever any lessee shall be convicted as above, the lease to any such premises shall, at the option of the lessor, become void. Anyone leasing premises for any of the above purposes, or anyone who knowingly permits premises to be used for such purposes, shall be fined not exceeding \$200.

**Sec. 57 (a).**

**KEEPING BOATS, ETC., FOR PURPOSES OF PROSTITUTION.**—Keeping boats or water craft for the purposes of prostitution in any navigable water in this state is a felony; penalty—confinement in penitentiary for not less than one nor more than three years, and a fine of not exceeding \$1,000.

**Sec. 57 (a-1).**

**MALE OR FEMALE INMATE.**—Any male or female person who is an inmate of a house of ill-fame or assignation, or place for the practice of fornication or prostitution or lewdness, or who shall solicit to prostitution in any

street, alley, park or other place in any city, village, or incorporated town in this state, shall be fined not exceeding \$200 or imprisoned in the county jail or house of correction for a period of not more than one year or both.

**ENTICING FEMALE TO ENTER HOUSE OF Sec. 57 (b).**  
**PROSTITUTION, ETC.**—Anyone who, by false pretenses, entices any unmarried female of chaste life and conversation in this state, to enter a house of prostitution or any dance house, garden or premises where prostitution, fornication or concubinage is practiced or allowed, or shall induce any such female to leave this state for any other state or territory for the purposes of prostitution, etc., or whoever aids in committing such offenses, shall, on conviction, be imprisoned in the penitentiary not less than one, nor more than four years.

**UNLAWFULLY DETAINING FEMALE IN Sec. 57 (c).**  
**HOUSE OF PROSTITUTION, ETC.**—Whoever shall unlawfully detain any female by force, false pretense or intimidation, in any room, etc., against the will of such female, for purposes of prostitution, or with intent to cause her to become a prostitute, and become guilty of fornication or concubinage therein, or shall by force or otherwise prevent any female detained as aforesaid from leaving such room, or who assists by force or otherwise, in keeping any female against her will, for aforesaid purposes, shall, on conviction, be imprisoned in the penitentiary not less than one, nor more than ten years.

**PENALTY FOR ALLOWING FEMALE UNDER Sec. 57 (d).**  
**18 TO LIVE IN HOUSE.**—Whoever permits any unmarried female under 18 years of age to live, board, stop or room in a house where prostitution, etc., is permitted shall be impris-

oned in the penitentiary not less than one, nor more than five years.

**Sec. 57 (e).**

**PENALTY FOR ENTICING TO COME INTO THE STATE.**—Anyone enticing or procuring any unmarried female under age of 18, to come into this state for the purpose of prostitution, etc., shall be imprisoned in the penitentiary not less than one, nor more than five years.

Counc. Proc.  
1918-19,  
p.1341,  
sec. 1.

**USING VEHICLES FOR PROSTITUTION.**—No person shall knowingly receive any person into any vehicle or conveyance for the purpose of prostitution or lewdness, or permit such person to remain therein for such purpose.

**Sec. 2.**

Taking any person for such purpose to any prostitute or place of ill-fame with knowledge of such character is prohibited.

**Sec. 3.**

The penalty is a fine of from \$50 to \$200. The license may be revoked and the permit of the vehicle cancelled. In case of cancellation no new permit shall be issued for one year.

C. C.,  
sec. 2014.

**HOUSES OF ILL-FAME.**—Houses of ill-fame or assignation are forbidden. Penalty—fine of not more than \$200 for every 24 hours such place is maintained.

**Sec. 2015.**

Patronizing, frequenting, or being found in such place is unlawful. It is unlawful to be an inmate of any such place. Penalty—fine of not more than \$200.

**Sec. 2016.**

Houses of ill-fame or assignation are hereby declared to be nuisances.

**Sec. 2018.**

**NIGHT WALKERS.**—All persons of evil fame or report, plying their vocations upon the street, are hereby declared to be common nuisances, and shall be fined not more than \$100 for each offense.

**Sec. 2019.**

**ILL-GOVERNED HOUSES.**—Every common, ill-governed or disorderly house or room kept for the encouragement of idleness, gaming,

drinking, fornication, etc., is a public nuisance. The keeper and all persons patronizing or frequenting the same shall be fined not more than \$200.

**HOUSES OF ILL-FAME—LEASING.**—Any person leasing to another any house, room or other premises for any of the purposes set forth in section 2014, or knowingly permitting the same to be used or occupied for such purposes, shall be fined not exceeding \$200. C. C.,  
sec. 2017.

**DETENTION OF FEMALES AGAINST WILL.**—That whoever shall by any means detain against her will or restrain any female person in a house of prostitution, etc., or whoever shall attempt to, for the purpose of compelling such female person to pay or cancel any debt or obligation incurred by her, shall, upon conviction for the first offense, be imprisoned in the county jail or house of correction from six months to one year, and fined not less than \$300, and not to exceed \$1,000; for subsequent offense, one to five years in penitentiary. R. S., ch. 38,  
sec. 57 (k).

**PANDERING.**—Any person who shall procure a female inmate for a house of prostitution, or who, by threats, etc., shall cause a female person to become such an inmate, or shall procure a place as inmate in such house for such person, or any person who, by threats or otherwise, shall cause any such inmate to remain in a house of prostitution as such inmate, or any person who procures any female person to come into this state or leave it for the purpose of prostitution, shall be guilty of pandering. Penalty—first offense, six months to one year in county jail or house of correction and a fine of \$300 to \$1,000; subsequent offense, imprisonment in penitentiary from one to ten years. Sec. 57 (g).

**ABATEMENT AND INJUNCTION LAW.**—All buildings, apartments and places and the fix- R. S.,  
ch. 100 1/2,  
sec. 1.

tures thereof used for the purposes of lewdness, assignation or prostitution are public nuisances and may be abated as herein provided. The owners, agents and occupants are guilty of maintaining a public nuisance and may be enjoined.

**Sec. 2.** The state's attorney or any citizen may maintain a bill in equity perpetually to enjoin the use of such building or place for any purpose for a year. A temporary injunction may be allowed.

**Sec. 5.** If the existence of a nuisance is established, the court shall enter a decree perpetually restraining all persons from maintaining the same and from using the building for any purpose for a year. An order of abatement shall issue as a part of the decree, which shall direct some officer to remove the fixtures from the place, to sell them and to close the building for a year.

**Sec. 7.** For a violation of any injunction or order of abatement the court may try summarily and punish the offender for contempt of court.

**Sec. 8.** If the owner of the building shall file a bond with satisfactory sureties in a sum of from \$1,000 to \$5,000, conditioned that he will abate such nuisance and prevent the same for the period of a year, the court will vacate the order of abatement and the order directing the sale of the movable property.

#### PUBLICATIONS—CRIMINAL NEWS.

R. S., ch. 38,  
sec. 42(h. e.).

**SALE OF CERTAIN PUBLICATIONS TO MINORS PROHIBITED.**—It shall be unlawful for any person to sell, lend, give away, etc., to any minor child, literature of any sort devoted to the publication of criminal news, police reports, accounts of criminal deeds, pictures and stories of deeds of bloodshed, lust or crime.

It shall be unlawful to exhibit in the view Sec. 42(h. f.).  
of any minor child any paper or publication  
mentioned in this section.

It shall be unlawful to hire, use or employ Sec. 42(h. g.).  
any minor child to sell or give away any paper  
or literature described above. It is also un-  
lawful for one having the custody of a minor  
child to permit such child to sell or in any  
manner distribute such literature described as  
above.

#### PUBLIC WELFARE DEPARTMENT OF CITY.

Ordinance establishes executive department Counc. Proc.  
of public welfare to include a commissioner of  
public welfare and such assistants as may be  
provided. The commissioner shall be appoint-  
ed by the mayor with the advice and consent  
of the city council. He shall have charge of  
the general management and control of all  
matters and activities pertaining to the de-  
partment.

In this department there also is created the  
bureau of social service, which shall collect  
information and data relating to the actual  
living conditions in Chicago, facilities for  
recreation, the causes for vagrancy, crime and  
poverty; and shall recommend appropriate  
laws for the practical betterment of such con-  
ditions.

In the department of public welfare is  
created a bureau of employment which shall  
operate the municipal lodging houses and col-  
lect information relative to working condi-  
tions, wages, hours of labor and unemploy-  
ment in the city and do what may be required  
in the practical relief of unemployment. The  
chief officer shall be known as the superin-  
tendent of the bureau of employment.

## PUNISHMENT OF OFFENDERS UNDER 18.

R. S., ch. 38,  
sec. 449.

PUNISHMENT OF OFFENDERS UNDER 18.— Persons under 18 years of age shall not be punished by imprisonment in the penitentiary except for murder, manslaughter, rape, robbery, burglary or arson. In all other cases persons between 16 and 18 years of age shall be imprisoned in the county jail for a term not exceeding 18 months.

## RAPE.

R. S., ch. 38,  
sec. 237.

RAPE—PUNISHMENT.—Rape is the carnal knowledge of a female forcibly and against her will. Every male person of the age of 17 years and upwards, who shall have carnal knowledge of a female under 16 years of age, not his wife, with or without her consent, is guilty of rape. A legal marriage to each other, however, before conviction, shall abate all legal proceedings. Males of 16 years of age and upwards, having carnal knowledge of females, forcibly and against their wills, are guilty of rape. Punishment—imprisonment in the penitentiary for not less than one year and it may extend to life.

It shall not be necessary to prove emission to convict of rape.

## REFORMATORY.

R. S., ch. 118,  
sec. 9.

The inmates of the reformatory are divided into two divisions; males between the ages of sixteen and twenty-one years, and those between the ages of twenty-one and twenty-six years.

## ROW BOATS.

C. C.,  
sec. 185.

No person shall let for hire, loan or allow any minor to use any sail boat, row boat or launch in the harbor of the city of Chicago

without the written consent of the parent or guardian of such minor.

The penalty is a fine of \$25 to \$200 for Sec. 186. each offense.

### SANITORIUM FOR WOMEN.

There shall be an institution for the correction of female offenders above 18 years of age whose offense is punishable by confinement in the county jail or workhouse to be known as Illinois State Sanitorium for women.

Sess. L. 1919,  
p. 245, sec. 1.

The sanitorium shall receive and provide Sec. 2. proper work, care and treatment for all such female offenders, including those committed for violation of municipal ordinances whose sentences consist of confinement in the county jail or workhouse for sixty days or more. In all cases where the court is authorized to sentence female offenders to work out fine and costs in the county jail or workhouse, it may in its discretion commit such offenders to the State Sanitorium.

### SCHOOLS.

The board of school directors shall have the R. S., ch. 122,  
power : sec. 115.

Sixth. To provide that children under 12 years of age shall not be kept in school for more than four hours daily.

Fourteenth. To establish classes having an average attendance of not less than fifteen pupils for the instruction of crippled children between the ages of six and twenty-one years.

Fifteenth. To establish classes for the instruction of deaf children between three and twenty-one years of age.

Sixteenth. To establish kindergartens for the instruction of children between four and

six years of age, if in their judgment the public interest requires it.

**Sec. 131.**

In cities having a population exceeding 100,000, the board of education shall have power among other things to expel, suspend or otherwise discipline any pupil who shall be found guilty of gross disobedience, misconduct, or other violation of the by-laws, rules and regulations.

**Sec. 136.**

**CO-OPERATION WITH JUVENILE COURT.—**  
The board of education shall have power to make suitable provision for the establishment and maintenance for not less than 9 months out of the year, of various schools, including schools for defectives, delinquents, parental or truant schools, schools for the blind, deaf and the crippled and all other educational schools and facilities, including playground maintenance. It shall have the power to co-operate with the Juvenile Court, to make arrangements with libraries and museums to extend their privileges to teachers and pupils of the public school. The board may grant the use of assembly halls and class rooms when not otherwise needed, for educational and social interests free of charge.

### PARENTAL SCHOOLS.

**Sec. 140.**

In cities of 100,000 inhabitants or more, there shall be established and conducted, one or more parental or truant schools to furnish a place of confinement, instruction and discipline for children of compulsory school age who may be committed there.

**Sec. 142.**

The board of education shall prescribe the methods of discipline and the course of instruction.

**Sec. 144.**

It shall be the duty of the truant officer or agent of the board of education to petition,

and any reputable citizen may petition the county court to inquire into the case of any child of compulsory age who is not attending school, and who is guilty of habitual truancy or persistent violation of the rules of the public school. The petition shall state names of father and mother; if neither is living or can be found, or the names cannot be ascertained, then the name of the guardian; petition shall show whether or not one of these consents to commitment to the parental school.

Petition shall be verified by oath, and the court shall hear the matter. No child who has ever been convicted of any offense punishable by confinement in a penal institution can be committed to such school.

The parents or guardian shall be notified of the proceedings. If the court finds the facts set out in the petition to be true, and the child a fit person to be committed, it may commit him to the parental school to be kept there until he is sixteen years of age, unless sooner discharged. Sec. 145.

The parents or guardian shall provide the child committed to the parental school with suitable clothing. Sec. 146.

The board of education has power to establish rules which will allow the child to return home upon parole but remain under the legal custody and control of the officers of the school, and subject to be taken back at any time. No child shall be released in less than four weeks, nor thereafter until the superintendent is satisfied with the conduct of the child, and that if paroled he will attend school regularly. Sec. 147.

If a child released upon parole violates conditions of the same, within one year, he shall be taken back and not released again for three Sec. 149.

months. If he violates the second parole, he shall be recommitted to the school and not released therefrom on parole for at least a year.

**Sec. 150.**

If the child is found to be incorrigible and his influence in the school is detrimental to the interests of the other pupils the board of education may authorize the superintendent to present these facts to the court and the child may be committed to some juvenile reformatory.

**Sec. 151.**

Boards of education of cities of more than 25,000 and less than 100,000 inhabitants may establish a parental school; the board shall have the powers hereinbefore expressed; *provided*, that no school shall be established under this section unless the people determine it by a majority vote at some election.

**Sec. 188.**

The school month shall be the same as the calendar month. But a teacher shall not be required to teach on Saturdays or legal holidays which are: January 1st, July 4th, December 25th, and any day appointed by the president or governor as a day of fast or thanksgiving.

**Sec. 261.**

Any school officer or other person who shall exclude from the public schools on account of color any child entitled to the benefits of such school, shall be fined upon conviction from \$5 to \$100.

**Sec. 262.**

Any person who by threats, menace, or intimidation, prevents any colored child entitled to attend public school from attending same shall, upon conviction, be fined not exceeding \$25.

**Sec. 269.**

Any woman 21 years of age possessing the qualifications prescribed is eligible to any office under the school laws of this state.

**Sec. 270.**

Any woman citizen 21 years of age who shall have resided in the state one year and in

the county 90 days and in the election district 30 days preceding any election, is entitled to vote, when properly registered, for the purpose of choosing school officers under the election laws.

The nature of alcoholic drinks and other Sec. 273.  
narcotics and their effects on the human system shall be taught in all the schools under state control.

COMPULSORY ATTENDANCE.—(As amended Sec. 274.  
by Sess. Laws 1919, p. 910.) Every person having control of a child between the ages of 7 and 16 years of age shall annually cause it to attend some public or private school for the entire time during which the school is in session, not less than 7 months of actual teaching. But in the following cases children shall not be required to attend the public schools:

(a) Any child being taught in a private or parochial school the same work taught in the public schools or who presents satisfactory evidence to the superintendent he has completed sufficient work for an eighth grade diploma.

(b) Any child physically unable to attend school, the disability being certified to by a truant officer or a physician.

(c) Children over 14 years of age who are necessarily and lawfully employed may be excused from attendance.

(d) Any child from 12 to 14 years of age while in attendance at confirmation classes conducted not less than 5 months in either of said years.

Persons having control of such children and failing to comply with this law are deemed guilty of a misdemeanor. Penalty—fine of from \$5 to \$20 and cost of suit and to stand committed until same are paid.

Section also provides for truant officer who shall when properly notified investigate all cases of truancy and non-attendance at school. If the children complained of are not exempt he shall proceed according to the provisions of this act.

Sess. L. 1919,  
cc. 918.

(The legislature in 1919 passed two separate and distinct amendatory acts to Sec. 274.) This act provides among other things that where part-time continuance schools are established children in employment between 14 and 16 years of age shall attend such schools at least 8 hours each week.

L. S., ch. 122,  
cc. 275.

DUTY OF TRUANT OFFICER.—(As amended by Sess. Laws 1919, p. 911.) This section prescribes the method of serving notices on persons who fail to send children to school. In case of the failure of such person to comply with the notice, the truant officer shall make complaint against such person for failing to comply with the provision of this act. It is the duty of the court upon such complaint to issue a warrant for such person.

Sess. L. 1921,  
. 815, sec. 1.

PART TIME OR CONTINUATION SCHOOLS.—The section provides for the establishment and maintenance of part-time or continuation schools.

Sec. 4.

ATTENDANCE.—Every minor between the ages of 14 and 18 years who is regularly and lawfully employed in some occupation, unless he has completed a four year secondary course of instruction, shall attend a part time or continuation school if there is one. Such attendance shall be not less than 8 hours per week for at least 36 weeks each year or 300 hours if the attendance is confined to a period of three successive months. The attendance shall be between 8 o'clock in the morning and 5 o'clock in the afternoon on regular business days except Saturday afternoons. The

time spent in such school shall be reckoned as a part of the time or number of hours the minor is permitted by law to work. Any minor employed or kept at home in the service of his parents or guardian is subject to attendance at such school.

PENALTY.—Any person employing a minor between 14 and 18 years of age shall permit him to attend a continuation school. The penalty for not doing so is a fine of from \$25 to \$200 for each offense. Such employer upon notice from school authorities that minor is not attending the continuation school shall discontinue his services. Sec. 8.

The act does not apply to private or parochial day schools or to minors receiving an equivalent educational training in their homes. Sec. 10.

WOMEN ELIGIBLE TO SCHOOL OFFICE.— R. S., ch. 122,  
sec. 269.  
Any woman who has attained the age of 21 years and who possesses the prescribed qualifications shall be eligible to any office under the general or special school laws.

Every teacher of the public school shall Sec. 509.  
teach the pupils honesty, kindness, justice, and moral courage for the purpose of lessening crime and raising the standard of good citizenship.

Not less than one-half hour in each week Sec. 510.  
shall be devoted to teaching kindness and justice to, and humane treatment and protection of birds and animals and the importance they play in economy of nature.

No experiment upon any living creature for Sec. 511.  
the purpose of demonstration in any study shall be made in any public school.

Boards of education and school directors Sec. 524.  
may establish classes and schools for the deaf and dumb, and blind, who are residents of such cities.

- Sec. 322.** Boards of education and school directors are empowered to establish classes and schools for the delinquent children, residents of such cities, committed by the courts.
- Sec. 320.** **INDUSTRIAL SCHOOL FOR GIRLS.**—Provides for the organization of a corporation for the purpose of establishing, maintaining and carrying on an Industrial School for Girls.
- Sec. 321.** The object of the Industrial School for Girls shall be to provide a home and proper training school for such girls as may be committed to its charge.
- Sec. 324.** If the court finds a girl dependent it shall order that the child has no guardian or that her guardian or parents is, or are, not fit to have the custody of the girl, or that they consent to such finding, and thereupon the court may appoint the president or a vice-president of such school as the lawful guardian of the girl, no bond being required.
- Sec. 328.** For the tuition, maintenance and care of dependent girls who may be committed to an industrial school, the county from which they are sent shall pay \$15 per month per each girl under 18 years of age.
- Sec. 330.** Any girl committed under this act to an Industrial School for Girls may by the officers be placed in the home of a good citizen, or she may be given to any person of suitable character who may adopt her, or she may be bound as an apprentice to any reputable citizen; *provided*, however, that the officers shall have a supervising care over her to see that she is properly provided and cared for; in case the girl is cruelly treated or neglected, or terms of commitment are not observed or the care and protection cease, then such officers again shall receive such girl into the custody of the industrial school.

No imbecile, idiot, or person incapacitated Sec. 331.  
for labor, or any girl having an infectious,  
contagious or incurable disease shall be com-  
mitted to the school.

TRAINING SCHOOL FOR BOYS.—Provides for Sec. 334.  
the organization of a corporation for the pur-  
pose of establishing, maintaining and carry-  
ing on a training school for boys.

The object of training schools for boys shall Sec. 335.  
be to provide a home and proper training  
school for such boys as may be committed to  
their charge.

DELINQUENT CHILDREN.—Boards of educa- Sec. 332.  
tion and school directors are empowered to  
establish and maintain schools for delinquent  
children, residents of such cities committed  
by the courts.

## SEARCH WARRANTS.

SEARCH WARRANTS.—Any judge may issue R.S., ch. 38,  
sec. 373.  
search warrants, when there is reasonable  
cause, in the following cases, to-wit: (1) to  
search for, and seize books, pamphlets, bal-  
lads and printed papers or other things con-  
taining obscene language or obscene pictures,  
etc., manifestly tending to corrupt the morals  
of youth and intended to be sold, loaned, or  
distributed or to be introduced; (2) to search  
for and seize lottery tickets, etc.; (3) to  
search for and seize gaming apparatus, etc.

## SEDUCTION.

SEDUCTION—DEFINED.—Whoever seduces R.S., ch. 38,  
sec. 525.  
and obtains carnal knowledge of any unmar-  
ried female under the age of 18 years, of  
previous chaste character, shall be fined not  
less than \$1000 nor more than \$5000, or im-  
prisoned in the county jail not exceeding one

year, or both. Subsequent intermarriage of parties shall be a bar to prosecution. Cannot convict on unsupported testimony of the female.

#### SENTENCE AND COMMITMENT.

R. S., ch. 38,  
sec. 500,  
clause 1.

PLACE OF CONFINEMENT.—Every male person between the ages of 16 and 26 years adjudged guilty of a felony or other crime punishable by imprisonment in the penitentiary or by imprisonment either in the penitentiary or jail where the court shall not have assessed a jail sentence may, except in capital cases, in the discretion of the court be sentenced to the reformatory instead of the penitentiary.

Clause 3.

Every male person between the ages of 10 and 16 years adjudged guilty of any offense enumerated in this section, except a capital offense, may in the discretion of the court be sentenced and stand committed to such other institution (other than the reformatory) provided by law for the incarceration, punishment, discipline, training or reformation of such class of persons, instead of the penitentiary.

Clause 4.

Every female person between the ages of 10 and 18 years adjudged guilty of any offense enumerated in this section, except a capital offense, may in the discretion of the court be sentenced and committed to such other institution provided for the incarceration, punishment, discipline, training or reformation of such class of persons, instead of the penitentiary.

Sec. 501.

INFANT OFFENDERS.—Every male person between the ages of 16 and 21 years adjudged guilty of an offense punishable by imprisonment in the county jail may in the discretion

of the court be committed to the reformatory for such jail imprisonment for not less than the minimum nor more than the maximum penalty provided.

Every female person between the ages of 10 and 18 years adjudged guilty of an offense punishable by imprisonment in the county jail may in the discretion of the court for such jail imprisonment be committed to such state institution as is provided for the incarceration, punishment, discipline, training or reformation of such class of persons for not less than minimum nor more than maximum term provided.

#### SOLDIERS' AND SAILORS' BURIAL.

The County Board of each county shall have the power, subject to referendum, to purchase suitable sites for burial grounds for deceased soldiers, sailors and marines of the army and navy of the United States, who died in service or who were honorably discharged, and for their mothers, wives, or widows who may die without having sufficient means to purchase graves and defray funeral expenses. The county shall have power to pay the funeral and burial expenses of such persons and to provide suitable headstones for their graves.

Sess. L. 1921,  
p. 383,  
sec. 1.

#### SOLDIERS' AND SAILORS' HOME.

ADMISSION OF WIFE.—When a soldier or sailor is an inmate of the Soldiers' and Sailors' Home at Quincy, the wife of such soldier or sailor shall be admitted as an inmate of the home, subject to the rules and regulations of the same, if the wife and the soldier or sailor were married before January 1, 1890, or if the wife had been previously married to

R. S. ch. 23,  
sec. 106 (a).

a soldier or sailor and is 50 years of age or over.

Sec. 106 (b).

**PENSION MONEY TO BE USED FOR WIFE.**—Every pensioner residing in the home whose wife also resides there, shall deposit with the superintendent his pension money, so much of which shall be used as is necessary to buy clothing for the wife.

Sec. 106 (c).

**CLOTHING FURNISHED BY STATE.**—If the husband of any female inmate of the home receives no pension, her clothing shall be furnished by the state.

Sec. 106 (d).

**DEATH OF HUSBAND—WIFE MAY REMAIN.**—Upon the death of any soldier or sailor who is an inmate of the home, the widow shall be transferred to the Soldiers' Widows' Home at Wilmington, if she so desires, where she may remain during her natural life.

#### SOLDIERS' WIDOWS' HOME OF ILLINOIS.

R. S., ch. 23,  
sec. 127.

**CREATES SOLDIERS' WIDOWS' HOME OF ILLINOIS.**—This section creates and establishes a corporation to be known as the Soldiers' Widows' Home of Illinois.

Sec. 129.

**WHO ELIGIBLE TO MEMBERSHIP.**—The mothers, wives, widows and daughters of all honorably discharged soldiers and sailors who have served in the army or navy of the United States shall be eligible to membership in the home, if the soldier has died leaving no adequate means of support; or if he is living and has no adequate means of support, and by reason of mental or physical disability is unable to earn the same; if such mother, wife, widow or daughter has no adequate means of support and by reason of mental or physical disability is unable to

earn the same; and if she has been a resident of the state one year immediately prior to application for membership.

#### SOLDIERS' ORPHANS' HOME.

(As amended by Sess. L. 1921, p. 169.) R. S., ch. 23,  
sec. 23.  
The Soldiers' Orphans' Home shall provide for the nurture and intellectual, moral and physical culture of all children whose fathers or mothers served in the army, navy or marine corps of the United States, who are in indigent circumstances by reason of dependency or neglect from any cause. All such children under 14 years of age who have resided in the state for a period of six months shall be admitted to the home, but must be discharged upon attaining the age of 18 years. The Department of Public Welfare shall obtain suitable employment for children who have reached the age of 18 and have been discharged from the home. This department shall provide such children with instruction in vocational subjects. The act prescribes its duties as to the education of these children.

#### STREETS.

STREET TRADES.—It is unlawful for any girl under 18 years of age to distribute or sell newspapers, periodicals or gum or other merchandise or to exercise the trade of a boot black or to solicit money or anything of value in any street or public place in the city and it shall be unlawful for anyone to employ such girl or permit her to be employed in any street trade in any street or public place in the city. Counc. Proc. 1912, p. 1175.

No boy under 14 years of age shall pursue any of these occupations upon the streets, or in any public place in the city before five o'clock in the morning or after eight o'clock in

the evening and no boy between 14 and 16 years of age shall pursue any of these occupations upon the streets before five o'clock in the morning or after eight o'clock in the evening, unless he shall be provided with an age and school certificate. Any boy or girl violating this ordinance shall be warned by any police officer to comply with the ordinance and he shall without delay report the violation to his superior officer, who shall cause a written notice to be sent to the parent or person in charge of such minor, setting forth the manner in which the ordinance has been violated. In case such minor again shall violate the ordinance he shall be subjected to the penalty herein provided. Any parent or guardian after having received the notice provided for herein who knowingly shall permit such minor to violate this ordinance or shall procure any minor to violate it shall be subject to the penalty.

The penalty is a fine of not more than \$100.

Counc. Proc.  
1913, p. 811.

It is unlawful for anyone to skate upon roller or ice skates upon any street or public highway in the city, except upon the sidewalks. The penalty is a fine from \$1 to \$25.

Counc. Proc.  
1918-19,  
p. 1000.

CLOSING STREET TO TRAFFIC FOR PLAY.—The Commissioner of Public Works is authorized to recommend to the Mayor and Superintendent of Police certain streets as play streets to be devoted during certain designated hours to the regulation and supervision of safe, innocent and wholesome games for children. The police shall supervise and the fire department shall flush such streets. They shall be roped off during play.

#### SUFFRAGE.

R. S., ch. 46,  
sec. 65.

QUALIFICATIONS.—Every person above the age of 21 years, having resided in this state

one year, in the county 90 days, and in the election district 30 days preceding any election, and who shall be a male citizen of the United States, shall be entitled to vote at such election.

SUFFRAGE FOR WOMEN.—All women citizens of 21 years of age and upward having resided in the state one year, in the county 90 days, and in the election precinct 30 days next preceding any election shall be entitled to vote.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex. Congress shall have power to enforce this article by appropriate legislation.

#### SUITS IN CHANCERY.

BY MINORS.—Suits in chancery may be commenced and prosecuted by minors either by guardian or next friend.

GUARDIAN AD LITEM.—The court may appoint a guardian *ad litem* in any cause in equity that is pending, to represent any minor defendant.

#### SURGICAL INSTITUTE FOR CHILDREN.

Establishes a surgical institution for the state for surgical treatment of children under 14 years of age suffering from physical deformities of a nature which will likely yield to surgical skill and treatment, which unless so treated will probably make such children in after life public charges.

The name of the institute shall be Illinois Surgical Institute for Children.

The purpose and object of the institute shall be to receive, treat, and nurse such children

Sess. L. 1921,  
p. 430.

19th Amend.  
Fed. Const.

R. S., ch. 22,  
sec. 5.

Sec. 6.

R. S., ch. 23,  
sec. 279.

Sec. 280.

Sec. 281.

whose parents or guardians may be financially unable to provide surgical treatment, as may be deformed, or suffering from diseases which require surgical treatment to the end that their physical disabilities may be removed, and that they may be made able to become self-sustaining, instead of being at some future time public charges.

Sec. 283.

Any children under 14 years of age whose parents are unable to furnish proper surgical treatment may be admitted upon the order of the county judge. Transportation shall be furnished. The child, if deemed feasible, shall be treated and nursed there until a recovery is effected, or until it becomes apparent that further treatment will be of no value.

#### TAG DAY.

Counc. Proc.  
1917-18,  
p. 1606.

CHILDREN EMPLOYED ON STREETS FOR SOLICITING, ETC.—It is unlawful for any person by himself or agent to employ, use, permit or suffer the employment or use of any girl under 18 years of age or any boy under 17 years of age for the purpose of soliciting or begging of money or other valuable thing, upon the streets or in public places whether for charitable purposes or otherwise and whether on a so-called tag day or otherwise. The penalty is a fine of from \$5 to \$100 for each offense.

#### TOBACCO.

R. S., ch. 38,  
sec. 42 (f).

SALE OF TOBACCO TO MINORS.—It is unlawful to sell, buy for or furnish any cigarette or tobacco in any of its forms, to any minor under 16 years of age, unless upon written order of parent or guardian. Penalty—fine of \$20 for each and every offense.

**SALE TO MINORS.**—(As amended by Counc. C. C., 732. Proc. 1913-14, p. 2748.) No person shall sell or offer to sell, or give away cigarettes or cigarette papers or wrappers to any person under 21 years of age. Penalty—a fine of from \$25 to \$100 for each offense.

**SALE OF TOBACCO TO MINORS.**—It is unlawful to sell or furnish tobacco in any form to minors under 16 years of age, except upon the written order of the parent or guardian. Penalty—\$10 to \$100 fine.

**CIGARETTES.**—It is unlawful to sell or give away cigarettes containing any substance deleterious to health. Fine—not exceeding \$100, or imprisonment in county jail not exceeding 30 days. It is unlawful for persons between the ages of 7 and 18 years, to smoke cigarettes on any public street, alley, park or other lands used for public purposes, or in any public place of business or amusement. Penalty—fine of not more than \$1 for each offense.

**MINOR SMOKING IN PUBLIC.**—All minors between the ages of 7 and 18 years who smoke or use cigarettes in any public place are subject to a fine of not more than \$10.

**PENALTY FOR FURNISHING.**—It is unlawful for any person to furnish cigarettes in any form to any such person, or to permit any such person to frequent his premises for the purpose of smoking cigarettes. Penalty—first offense, fine not exceeding \$50; additional offenses, fine not exceeding \$100, or imprisonment in county jail not exceeding thirty days.

(Amends Sec. 732.) No person or corporation shall sell or give away, or offer to sell or give away any cigarettes, or any cigarette papers or cigarette wrappers of any kind to any person under 21 years of age. The penalty is a fine of \$25 to \$100.

Counc. Proc.  
1913, p. 2748.

C. C.  
sec. 733.

**SALE PROHIBITED NEAR SCHOOLHOUSES.**—Cigarettes, tobacco, or tobacco products used in the making of cigarettes in any form shall not be sold or given away at any place within 600 feet of any schoolhouse. Penalty—fine of not less than \$25, nor more than \$100.

Sec. 736.

**CIGAR BUTTS—PARENTS NOT TO PERMIT.**—Parents shall not permit children under 18 years of age to gather or pick up cigar or cigarette butts or stumps.

R. S., ch. 38,  
sec. 270.

**WHAT SHALL CONSTITUTE.**—All persons who are idle and dissolute and who go about begging. All persons who use any juggling or other unlawful plays or games....confidence men;....common drunkards;....lewd, wanton and lascivious persons in speech or behaviour,...persons who are habitually neglectful of their employment,...and do not lawfully provide for themselves or for the support of their families; all persons....who habitually mis-spend their time by frequenting house of ill fame, gaming houses or tippling shops; all persons lodging in or found in the night time in outhouses, sheds, barns, or unoccupied buildings, or lodging in the open air and not giving a good account of themselves; and all persons....who are habitually found prowling around....any place of public amusement, auction room, store, shop or crowded thoroughfare, car or omnibus, or any public gathering or assembly, or lounging about any courtroom, private dwelling houses or outhouses, or are found in any house of ill fame, or tippling shop, shall be deemed to be and they are declared to be vagabonds.

Sec. 271.

**HOW PUNISHED.**—Such person may be sentenced to hard labor on the streets, imprison-

ment in jail, or to the House of Correction, for a term of not less than ten days and not exceeding ten months, or he may be fined not less than \$20, nor more than \$100; in default of payment of fine, he may be sentenced at hard labor in the House of Correction or on the streets at the rate of \$1.50 per day, until said fine and costs shall have been worked out or paid.

VAGABONDS AND VAGRANTS.—This section <sup>C. C.</sup>  
<sub>sec. 2031.</sub> is practically the same as Section 270, Ch. 38, of Revised Statutes, which see. Penalty under this section—fine not to exceed \$100.

#### VENEREAL DISEASES.

INFECTIOUS AND DANGEROUS.—(The sections a, b, d, and g are added by Counc. Proc. 1917-18, p. 976.) Venereal diseases are recognized as infectious, contagious and dangerous to public health.

It is the duty of physicians to report all such diseases to the Department of Health.

It is the duty of any person applying to any physician to tell him the name of any other physician or person he has consulted and for the physician to notify such previous physician of the change of doctors.

The parents of minors who have acquired any venereal disease and who live with such parents are responsible for the compliance by the minor with the requirements of the ordinance. The penalty is a fine of from \$25 to \$100 for each offense.

#### WEAPONS.

HAVING IN POSSESSION OR SELLING DEADLY WEAPONS.—Anyone having in his possession, or who shall sell or offer to sell, etc., any

R. S., ch. 38,  
sec. 54 (a).

slungshot, knuckles, or other deadly weapon, shall be guilty of misdemeanor. Punishment—not less than \$10, nor more than \$200 fine.

**Sec. 54 (b).**

**SELLING OR GIVING DEADLY WEAPONS TO MINOR.**—Whoever, not being the father, guardian or employer of a minor, by himself or agent, shall sell, give, loan, hire or barter, or shall offer to sell, etc., to such minor, any pistol, revolver, derringer, bowie knife, dirk or other deadly weapon of like character, capable of being secreted upon the person, shall be guilty of a misdemeanor, and shall be fined in a sum not less than \$25, nor more than \$200.

**Sec. 54 (d).**

**CARRYING CONCEALED WEAPONS.**—Carrying concealed weapons of the character above specified in the above sections, or a razor, about the person, or displaying or flourishing deadly weapons, is a misdemeanor. Fine of not less than \$25, nor more than \$200.

C. C.,  
sec. 2807.  
*et seq.*

**CONCEALED WEAPONS—CARRYING.**—Carrying deadly weapons concealed about the person is prohibited.

Such weapons may be confiscated and the person carrying the same arrested without warrant, and fined from \$25 to \$200.

**Sec. 943.**

No person shall sell, loan, or furnish to any minor any firearm or toy firearm in which any explosive substance can be used under a penalty up to \$100. Shooting galleries, gun clubs, etc., are excepted when the consent of parents is had.

**Sec. 2814 (a).**

**SELLING TOY GUNS, ETC.**—(Section 2814 amended by Counc. Proc. 1917-18, p. 1614.) It is unlawful for anyone to engage in the business of selling or to sell or give away any air rifle, air gun, fowling piece, toy gun, toy pistol, or toy gun in which explosive substance can be used, without a license. A li-

censed person may sell or give away to persons having permits from the General Superintendent of Police to purchase the same. The section does not apply to those licensed to sell deadly weapons.

LICENSE REVOKED.—A license may be re- Sec. 2814 (d).  
voked if the Superintendent of Police is satisfied the ordinance has been violated.

PERMIT TO PURCHASE.—It is unlawful for Sec. 2814 (e).  
anyone to purchase any of the above enumerated articles without a permit from the General Superintendent of Police on written application.

PERMIT REFUSED TO MINORS.—The Super- Sec. 2814 (f).  
intendent of Police shall refuse permits to persons convicted of crime and to all minors.

EXHIBITING TOY GUNS, ETC.—It is unlaw- Sec. 2814 (g).  
ful to exhibit in a show-case or windows any of the above enumerated articles.

It is unlawful for anyone to engage in the business of selling, or to sell or give away Counc. Proc.  
any pistol, revolver, derringer, bowie knife, dirk, or other weapon, which can be concealed 1914-15,  
on the person, without securing a license. p. 186, sec. 1.

Anyone desiring such a license shall make Sec. 2.  
application to the mayor, setting out certain information.

Every such licensed person shall deliver to Sec. 3.  
the General Superintendent of Police every day before 12 o'clock noon, a legible report of every sale or gift; the report is to contain the date, name of purchaser, address and age, the number, kind, description and price of weapon and the purpose given by such person for the purchase.

In case of violation of this ordinance, the Sec. 4.  
license shall be revoked.

No one shall purchase any weapon of the Sec. 5.  
character above mentioned without first se-

curing from the General Superintendent of Police a permit. The application for the permit shall set out the name, address, age, height, weight, complexion, nationality and other elements of identification of the applicant. Two tax-paying residents of the city shall recommend that the permit issue.

**Sec. 6.**

The General Superintendent of Police shall refuse such permit to:—

- (a) All persons having been convicted of any crime.
- (b) All vagabonds.
- (c) All minors.

The penalty for violating this ordinance is a fine from \$50 to \$200. Each sale shall constitute an offense.

#### WHITE SLAVE TRAFFIC.

**9 Fed. St.  
Ann. 1409.**

Any person who shall transport or cause to be transported in interstate or foreign commerce, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent to induce such person to become a prostitute or engage in any other immoral practice; or who shall knowingly obtain or aid in obtaining any ticket or form of transportation to be used by any woman or girl for such purpose is guilty of a felony and may be fined up to \$5000, or imprisoned up to five years, or both, in the discretion of the court.

Anyone persuading or enticing any woman or girl in this respect is guilty.

**GIRL UNDER EIGHTEEN.**—Any person who shall knowingly persuade, induce, entice, or coerce any woman or girl under 18 years of age from any state, territory, or the District of Columbia, to any other state, territory, or the District of Columbia with the intent that

she shall engage in prostitution or other immoral practices; and in furtherance of this purpose knowingly shall cause her to be so transported, is guilty of a felony and shall be punished by a fine up to \$10,000, or by imprisonment up to ten years, or both, in the discretion of the court.

For the purpose of regulating and preventing the transportation in foreign commerce of alien women and girls for prostitution, the Commissioner-General of Immigration is authorized to receive and centralize information concerning the procuration of alien women with a view to their debauchery, and to exercise supervision over them and receive their declarations, establish their identity, etc.

### WILLS.

Women are competent to execute last wills and testaments.

### WITNESSES.

MARRIED WOMEN AND MINORS BOUND AS  
WITNESSES.—When a married woman or minor is a material witness and is bound, any other person may be allowed to recognize for the appearance of such witness; or the judge in his discretion may take the recognizance of such married woman or minor in a sum not exceeding \$50, which shall be valid and binding in law notwithstanding the coverture or minority; but such married woman or minor shall not be required to give other security than his or her own recognizance.

R. S., ch. 38,  
sec. 365.

### WOMAN'S RELIEF CORPS.

TO COLLECT DATA OF BURIAL PLACES OF  
SOLDIERS.—For the purpose of locating the  
burial place of persons who have served in

R. S., ch. 21,  
sec. 56.

the military or naval forces of the United States and who are now dead, the Woman's Relief Corps is authorized without expense to the state, to collect the required data and prepare and file with the County Clerk certificates embodying the information called for by section 1 of this act.

#### SPECIAL COURTS IN CHICAGO THE COURT OF DOMESTIC RELATIONS.

Branch 10 is set apart for the trial and disposition of cases on the following charges: violations of city ordinances (sections refer to Chicago Code, 1911):

Sale of cigarettes to minors, section 732; sale of cigarettes 600 feet from school house, section 733; gathering of cigar refuse by minors, sections 736 to 739; sale of tobacco to minors under 16 years of age, section 734; sale of intoxicating liquors to minors, section 1543; purchase of intoxicating liquors by minors, section 1996; obtaining intoxicating liquors by minor by false pretense, section 1998; sale of materials saturated with liquors to minors under sixteen years, section 2000; giving samples of intoxicating liquors in bottles or otherwise to minors; sections 1574, 1575; gambling by minors in saloons, section 1997; jumping upon moving cars by minors under the age of 18 years, section 1999; improper public exhibition or employment of children under 14 years of age, sections 2001, 2002, 2003; employment of minors under 16 years of age in pawn shops, sections 1756, 1759; receiving pledges from minors by pawn brokers, sections 1754 to 1759; sale of deadly weapons to minors, section 2814.

Violations of State Laws. (The chapters and paragraphs refer to Hurd's Edition of the Statutes of 1919):

Abduction of children under 12 years of age, chap. 38, par. 2; improper public exhibition or employment of children under 14 years of age—first offense, chap. 38, par. 42a, 42c, inc.; abandonment of wife or child, chap. 68, par. 24; bastardy, chap. 17; contributing to dependency or delinquency of children, chap. 38, par. 42hb; violation of laws relating to child labor; violation of all laws relating to compulsory education and truancy; climbing upon cars by minors, chap. 114, par. 79, 80, 81; permitting minors to gamble in saloons, chap. 38, par. 61a; permitting minors to enter dance halls where intoxicating liquor is sold, chap. 43, par. 48, 49; sale or gift of deadly weapons to minors, chap. 38, par. 54b; buying or procuring intoxicating liquors for minors, chap. 43, par. 6, 6½; sale of tobacco to minors, chap. 38, par. 42f, 42g; an act to define and punish crimes against children, approved and in force May 17, 1907.

By order of court all such cases in which capias and warrants shall be issued in the First District shall be transferred to this branch for trial and disposition. Practically all of the cases disposed of in the Court of Domestic Relations are instituted there and not in some other branch of the court. The procedure generally is about as follows: the complaining witness is interviewed and a complaint card made out. If the interview shows the case to be one that should be referred to some organization or other court, the reference is made; if a conference or consultation is indicated, that is held; if a warrant is indicated, then a history sheet is made out based largely upon the interview with the complaining witness, the form of the history

sheet depending upon the form of the complaint; this history sheet then goes to the clerk of the court who prepares the information or complaint; upon this a warrant issues. Every step is watched and followed up in this court. If upon trial the defendant is placed upon probation and ordered to make payments for the support of those dependent upon him, this order is followed up. If the defendant fails to pay or comply with other orders of the court, the necessary steps are taken to compel such compliance.

#### MORALS COURT.

By order of court there has been established a branch of the municipal court of Chicago before which all criminal and quasi-criminal cases or offenses of keeping, maintaining, leasing and patronizing houses of ill fame and places for the practice of prostitution or lewdness, enticing female into or detaining female in a house of prostitution or other place where prostitution, fornication or concubinage is practiced, inducing female to leave this state for the purpose of prostitution or fornication, pandering, abduction, seduction, living in open state of adultery or fornication, open lewdness or other notorious act of public indecency tending to debauch the public morals, selling or dealing in obscene, immoral or impure books, pictures or literature, and night walking, shall be brought, tried and disposed of. The above shall include all criminal informations, complaints to hold to await the action of a grand jury and complaints for violation of ordinances.

#### Boys' COURT.

There has been established a branch of the municipal court of Chicago for the trial of all boys between the ages of 17 and 21 who have

been charged with any crime or the violation of any city ordinance. The warrants are not issued in this court. They are issued at other branches and the returns are made to the boys' court. The clerk of the court in each case makes out what is commonly called an identification card. These cards are filed alphabetically. This method enables the judge to know whether or not a certain boy has been in that court before and on what charge.



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